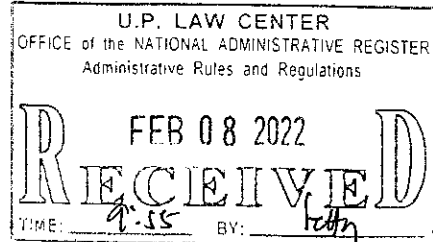




Republic of the Philippines
Department of Transportation

LAND TRANSPORTATION FRANCHISING & REGULATORY BOARD
East Avenue, Quezon City



MEMORANDUM CIRCULAR
NUMBER 2022 - 017

SUBJECT: OPENING OF APPLICATIONS FOR THE ISSUANCE OF NEW CERTIFICATE OF PUBLIC CONVENIENCE (CPC) OF THE APPROVED ROUTES OF NABUNTURAN, DAVAO DE ORO LOCAL PUBLIC TRANSPORT ROUTE PLAN (LPTRP) UNDER THE IMPLEMENTATION OF PUBLIC UTILITY VEHICLE MODERNIZATION PROGRAM (PUVMP)

WHEREAS, on 19 June 2017, the Department of Transportation (DOTr) issued Department Order No. 2017 – 011 also known as the Omnibus Guidelines on the Planning and Identification of the Public Road Transportation Services and Franchise Issuance adopting the rules and procedures for the issuance of the franchises for public transport routes and services;

WHEREAS, pursuant to Section 5(a) of Executive Order No. 202, dated 19 June 1987, the Land Transportation Franchising and Regulatory Board (LTFRB) shall have the power to “prescribe and regulate routes of service, economically viable capacities and zones or areas of operation of public land transportation services provided by motorized vehicles, xxxxx”;

WHEREAS, the DOTr has given LTFRB the authority to deliberate and take appropriate action on proposed new/additional routes pursuant to the Public Utility Vehicle Modernization Program (PUVMP) and Memorandum Circular No. 2018-006;

WHEREAS, the Local Public Transport Route Plan (LPTRP) of Nabunturan, Davao de Oro was reviewed and evaluated by the third-party consultant, Transport and Traffic Planners Inc. (TTPI), and recommended for the issuance of Notice of Compliance (NOC). On 20 May 2021, the LTFRB RFRO 11 issued NOC to Nabunturan, Davao de Oro,, approved and signed by Regional Director Nonito A. Llanos III requesting the Sangguniang Bayan to pass an Ordinance adopting the said LPTRP pursuant to the OFG and the DOTr and the Department of Interior and Local Government (DILG) Joint Memorandum Circular (JMC) No. 001, s. 2017 or the Guidelines on the Preparation and Issuance of Local Ordinances, Orders, Rules and Regulations concerning the LPTRP;

WHEREAS, based on the communication with the LGU and the Average Seating Capacity used in the LPTRP of Nabunturan, Davao de Oro, the correct mode should be Class 2 PUJ;

WHEREAS, pursuant to Section 4(f) of JMC No. 001, s. 2017 between DOTr and DILG, updating of the LPTRPs may be done by the LGUs at least once every three (3) years after the last approval;

WHEREAS, Sangguniang Bayan in the Municipality of Makilala, Cotabato passed Resolution No. 1424-2021: “A Resolution Confirming Municipal Ordinance No. 2021-9-A, an

Ordinance Enacting the Local Public Transport Route System (LPTRS) 2019-2023 of the Municipality Of Nabunturan, Davao De Oro”, approved and signed by Mayor Chelita C. Amatong dated 03 August 2021;

WHEREAS, pursuant to said Ordinance, a total of two (2) new routes have been approved;

NOW THEREFORE, upon the recommendation of the DOTr and LTFRB, the following new routes with corresponding Route Survey Information are hereby approved for the issuance of New CPCs:

ROUTE (Detailed Route Structure)		AUTHORIZED MODE	NO. OF AUTHORIZED UNITS	ROUTE LENGTH (KM)
NEW ROUTES				
1	Poblacion Nabunturan - Mainit - Tagnocon - Katipunan - Matilo - Manat (Nabunturan Terminal - Fuentes St. - Nabunturan - Maragusan Rd. - Nabunturan - Mainit Park Rd. - Matilo - Katipunan - Mainit Rd. - Nabuntaran - Maragusan Rd. - Manat Terminal)	PUJ Class 2	3	19.5
2	Poblacion Nabunturan - Bukal (Nabunturan Terminal - Fuentes St. - Nabunturan - Maragusan Rd. - Nabunturan - Mainit Park Rd. - Bukal Terminal)	PUJ Class 2	36	4.031
TOTAL NO. OF ROUTES / NO. OF UNITS		2	39	

Only those units compliant with the OFG and DTI – PNS shall be accepted.

For **NEW** routes, the procedures in the selection of the operator under Section V-B of MC 2019-013 shall apply except Item No. 6 thereof. In which case, the provisions under MC 2021 - 021 Item I.A.1.v. regarding the compliance period of the compliant units, which shall be within the following period:

- 6 months - 25% of the total number of authorized units
- 9 months - 50% of the total number of authorized units

- *12 months - 100% of the total number of authorized units*

The Board shall issue a Certificate of Public Convenience to the applicant when the latter complies with the following required number of units:

- If the number of authorized units (NAU) is more than fifteen (15), the applicant shall have at least fifteen OFG - compliant units;
- If the number of authorized units (NAU) is fifteen (15) or less, the applicant shall comply with all the NAU.

Meanwhile, pending the issuance of CPC, the selected operator shall operate in an interim service within fifteen (15) days from receipt of the Notice of Selection using either its own units or units that are leased or chartered from other operators, manufacturers or dealers which must be roadworthy as determined by the Land Transportation Office (LTO). The corresponding Special Permit (for units with existing CPC) or Provisional Authority (for units without CPC) shall be issued, pursuant to the provisions of MC 2019-013.

The pre-qualification conferences shall be held at LTFRB Regional Office No. 11 on **18 February 2022 at 2:00 PM.**

Letter of Intent and qualification documents shall be submitted **NOT LATER THAN** the indicated deadline below:

Region	Route	Deadline	Venue of Submission
Region 11	All Routes	28 February 2022 @ 9:00 AM	Office of the Regional Director – RFRO 11

Opening of the sealed documents will immediately follow at **2:00 PM of the same date.**

A qualified Applicant may be selected for more than one (1) route and subsequently processed for the grant of CPC following the applicable provisions of Memorandum Circular No. 2019-013 also known as the Consolidated Guidelines on the Process of Issuance of Certificate of Public Convenience (CPC), and Provisional Authority (PA)/Special Permit (SP) under the Omnibus Franchising Guidelines & Public Utility Vehicle Modernization Program (PUVMP) dated 15 March 2019 and Memorandum Circular No. 2021-021 also known as Guidelines for the Issuance of Provisional Authority to Units of Individual Operators with Pending Application for Consolidation and those that Failed to File an Application for Consolidation Pursuant to the Omnibus Franchising Guidelines (OFG) and the Procedure in the Qualification and Selection of Applicants.

In case of failure on the initial qualification process, the Selection Committee shall issue a Resolution declaring the failure on the selection process, with the corresponding date for the resubmission of their Letter of Intent and qualification documents by the interested applicants.

This Memorandum Circular shall take effect immediately following its publication in a newspaper of general circulation and the filing of three (3) copies hereof with the U.P. Law Center pursuant to Presidential Memorandum Circular No. 11 dated 09 October 1992.

SO ORDERED.

APPROVED and SIGNED by the undersigned chairman and members of the Board this 2nd day of February 2022, Quezon City, Philippines.

M. B.
ATTY. MARTIN B. DELGRA III, REB REA EnP
Chairman *[Signature]*



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

[Signature]
Engr. SHERWIN MYEIL S. BEGYAN
Board Member *[Signature]*

EFFECTIVITY
DATE: **07 FEB 2022**

Attested by:

[Signature]
MARIA KRISTINA E. CASSION
Executive Director

ZAH/dsb 01.22.2022