



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

RESOLUTION NO. 140 Series of 2022

(Re: Opening of Applications for the Issuance of New CPC for the route:
PITX - PALOMPON, LEYTE VIA TACLOBAN CITY)

WHEREAS, before this Committee are the applications of the following:

1. CIBL TOURIST TRANSPORT INC.
2. ULTRABUS TRANSPORT INC.
3. ST. CHRISTOPHER TRANSPORT SERVICE COOPERATIVE
4. DAVAO METRO SHUTTLE CORP.
5. STELLAR MOBILITY TRANSPORT

for PITX - PALOMPON, LEYTE VIA TACLOBAN CITY route with the use of fifteen (15) authorized Provincial Bus units, under the initial selection/qualification process conducted on 25 October 2019;

WHEREAS, the Committee found that CIBL TOURIST TRANSPORT INC.:

1. Submitted five (5) certified true copies of LTO Official Receipt and Certificate of Registration of the following units all under the name of Transfast Express Logistics, Inc. with attached Deed of Sale between Transfast Express Logistics, Inc. as Vendor and CIBL Tourist Transport Inc. as Vendee duly signed and notarized dated 30 September 2019, to wit:

Make	Motor No.	Chassis No.	Plate No./ MV File No.	Year Model
1. Yutong	YC6L28042L54YBH00047	LZYTBT6E61H1071837	130104/1301-1118564	2017
2. Yutong	YC6L28042L64YBH00043	LZYTBT6E64YBH00043	130104/1301-1118559	2017
3. Yutong	YC6L28042L64YBH00042	LZYTBT6E62H1071832	130104/1301-1118565	2017
4. Yutong	YC6L28042L64YBH00041	LZYTBT6E60H1071831	130104/1301-1118580	2017
5. Yutong	YC6L28042L64YBH00046	LZYTBT6E6XH1071836	130104/1301-1118601	2017

2. Submitted an original copy of Sales Invoice from JACG United Enterprises Inc. of the following remaining ten (10) units with attached undertaking to deliver dated 14 October 2019 signed by Ben R. Umali Kr. - VP General Manager which certifies that CIBL Tourist Transport Inc. has entered into Sales Agreement with JACG Enterprises Inc. involving purchase of ten (10) bus units and also undertakes to deliver said units within ninety (90) days upon receipt of order including down payment and bank credit advise, to wit:

Make	Motor No.	Chassis No.	Plate No./ MV File No.	Year Model
1. Yutong	YC6L330-42-L64YBK66716	LZYTATE88K1055604	Not indicated	Not indicated
2. Yutong	YC6L330-42-L64YBK66717	LZYTATE89K1055605	Not indicated	Not indicated
3. Yutong	YC6L330-42-L64YBK66718	LZYTATE90K1055606	Not indicated	Not indicated
4. Yutong	YC6L330-42-L64YBK66719	LZYTATE91K1055607	Not indicated	Not indicated
5. Yutong	YC6L330-42-L64YBK66720	LZYTATE92K1055608	Not indicated	Not indicated
6. Yutong	YC6L330-42-L64YBK66721	LZYTATE93K1055609	Not indicated	Not indicated
7. Yutong	YC6L330-42-L64YBK66722	LZYTATE94K1055610	Not indicated	Not indicated
8. Yutong	YC6L330-42-L64YBK66723	LZYTATE95K1055611	Not indicated	Not indicated
9. Yutong	YC6L330-42-L64YBK66724	LZYTATE96K1055612	Not indicated	Not indicated
10. Yutong	YC6L330-42-L64YBK66725	LZYTATE97K1055613	Not indicated	Not indicated

WHEREAS, the Committee found that ULTRABUS TRANSPORT INC. failed to submit/include the original or certified true copies of the Legal, Technical and Financial Capability qualification documents as required under Memorandum Circular No. 2019-013;

WHEREAS, the Committee found that ST. CHRISTOPHER TRANSPORT SERVICE COOPERATIVE:

1. Submitted an Undertaking made by Cross Country Motors, Inc. to Deliver 15 Units Brand New Golden Dragon Luxury Bus with Toilet duly signed and notarized dated 14 October 2019 which certifies that Cross Country Motors Incorporated has entered into a Sales Agreement with St. Christopher Transport Service Cooperative which stated thus:

“With reference to Sales Agreement 2019-SCTSC-02, we hereby undertake to deliver the Fifteen (15) Units Brand New Golden Dragon 45 Seater - 12 Meters Luxury Bus, in tranches, the delivery schedule are as follows:

Date of Delivery	NO. of UNITS OF DELIVERY
On or Before January 10, 2020	5
On or Before March 15, 2020	5
On or Before May 15, 2020	5
TOTAL NO. OF UNITS	15

2. Submitted an original copy of the duly signed and notarized Sales Agreement between St. Christopher Transport Service Cooperative and Cross Country Motors, Inc. with SC/SA No. 2019-SCTSC-02 dated 14 October 2019 relative to the purchase of fifteen (15) BRAND NEW GOLDEN DRAGON 12 METER LUXURY BUS with TOILET Engine Model No. YC6G310-42 Turbo Intercooler Engine EURO 4 Air Suspension;
3. Failed to submit/include in its qualification documents the undertaking that the applicant will immediately comply with the approved LPTRP or DOTr rationalization study and copies of Letter of Support from property owners/managers regarding access to, or use of, each off-street loading and unloading area in the Palompon, Leyte endpoint;

WHEREAS, the Committee found that DAVAO METRO SHUTTLE CORP.:

1. Submitted a duly signed and notarized Undertaking (Delivery Schedule) dated 15 October 2019 which stated in Item No. 3 thus:

“Pursuant to Part III (B) (2) for MC 2019-013, the Company undertakes that 67% of the number of required units for the Route shall be delivered within one (1) month, 20% within two (2) months, and 100% within three (3) months, reckoned from the date of submission of pre-qualification requirements, and as certified by the vehicle manufacturer/supplier herein attached.”

2. Submitted a Certificate of Delivery Schedule from Autodelta Coach Builders, Inc. duly signed and notarized dated 16 October 2019 which stated thus:

“**DAVAO METRO SHUTTLE CORP.** agreed to purchase from Autodelta fifteen (15) units of Volvo B8R Coach Buses (with Comfort Room) in relation with Davao Metro’ application xxx

Autodelta further certifies and commits to the following delivery schedule:

Description	Item No.	Route	2019		2020	Total
			100%			
			Nov	Dec	Jan	
Coach with CR	8	PITX - PALOMPON, LEYTE via TACLOBAN CITY	10	3	2	15
Grand Total			10	3	2	15

WHEREAS, the Committee found that STELLAR MOBILITY TRANSPORT:

1. Submitted mere photocopies of its legal qualification documents as a corporation, i.e. Certificate of Incorporation, Articles and By-Laws, and latest General Information Sheet duly received/issued by the Securities and Exchange Commission;
2. Failed to submit/include in its qualification documents the Fleet Management System with organized vehicle dispatch procedures and copies of Letter of Support from property owners/managers regarding access to, or use of, each off-street loading and unloading area in the Palompon, Leyte endpoint;
3. Submitted mere photocopies of the Certificate of Registration from Bureau of Internal Revenue;

WHEREAS, both CIBL TOURIST TRANSPORT INC. and DAVAO METRO SHUTTLE CORP. were given a rating of “PASSED/QUALIFIED” as they have satisfied the Qualification Requirements – Legal, Technical and Financial Capability provided under Memorandum Circular No. 2019-013;

WHEREAS, pursuant to Item No. V-B-3 of Memorandum Circular No. 2019-013 which states that:

“3. The Applicant-Operators who PASSED the legal, technical and financial qualifications shall be ranked based on the availability of the required number of compliant units. **Higher rank is accorded to an applicant with the highest number of ready and available units**, then on the schedule of delivery of the units (as certified by the supplier/manufacturer) on a first-in-time basis;”

Hence, CIBL TOURIST TRANSPORT is **RANKED HIGHER** because of its five (5) certified true copies of LTO Official Receipt and Certificate of Registration as mentioned and described above which can be utilized for interim operations, and Sales Invoice w/ Undertaking to Deliver the above described ten (10) units by JACG Ent. Inc.

WHEREAS, in December 2019, the World Health Organization was alerted of several respiratory cases which were later on attributed to what is now known as the "CoronaVirus Disease (COVID-19)";

WHEREAS, President Rodrigo Roa Duterte signed Proclamation No. 922 entitled "Declaring a State of Public Health Emergency Throughout the Philippines" on 08 March 2020;

WHEREAS, while the Board has selected operators for some routes opened and were issued the corresponding notices of selection, some applications of other operators were processed but the issuance of notice of selection was suspended due to COVID-19;

WHEREAS, considering the current substantial decline in the COVID-19 infection rate in the Philippines along with the lowering of quarantine alert level status of Metro Manila and the provinces, the number of commuters is expected to increase as the Philippines is gradually opening its economy;

WHEREAS, on 17 May 2022, the Board has issued a Resolution No. 105 S. 2022 which has resolved to proceed with all pending processes involving the Selection Process for the PITX - PALOMPON, LEYTE VIA TACLOBAN CITY;

WHEREAS, according to Resolution No. 105 S. 2022, the following provisions were set regarding the selected operator for the subject route, to wit:

"Accordingly, the use of interim units per MC 2019-013 shall no longer be applicable. Instead, OFG-Compliant units shall be required for selected entities.

Once an operator has been selected and issued a Notice of Selection, the corresponding Provisional Authority shall be subsequently issued after the submission of the required documents, subject to existing policies of the Board. No units shall be allowed to operate without the required Provisional Authority.

The operator issued with NOS shall comply with the 3/6/9-month rule under MC 2019-013 to file their Application for Issuance of CPC with OFG compliant units. Failure to comply with the timeline shall automatically cause the revocation of the NOS and shall result in the commencement of a new selection process for the route involved following the applicable provisions of MC 2022-033 and MC 2019-013.

Applicant operators shall also abide by the results of the Local Public Transport Route Plan (LPTRP) or Route Rationalization studies."

NOW THEREFORE, premises considered, this Committee resolves to recommend to the Board to:

1. **DENY** the applications of ULTRABUS TRANSPORT INC., ST. CHRISTOPHER TRANSPORT SERVICE COOPERATIVE and STELLAR MOBILITY TRANSPORT for failure to comply with the documentary requirements set forth under Memorandum Circular No. 2019-013. This is however without prejudice on their part to re-apply or submit application once the route is subsequently re-opened;
2. **AWARD** the PITX - PALOMPON, LEYTE VIA TACLOBAN CITY route in favor of CIBL TOURIST TRANSPORT INC. due to the readiness of the proposed units per its submission of five (5) LTO Official Receipt and Certificate of Registration and ten (10) Sales Invoice from JACG United Enterprises Inc. of the remaining ten (10) units with attached undertaking to deliver units within ninety (90) days as opposed to the submitted undertaking to deliver proposed units within one (1) month, 20% within two

(2) months, and 100% within three (3) months, reckoned from the date of submission of pre-qualification requirements made by DAVAO METRO SHUTTLE CORP.

APPROVED AND SIGNED by the undersigned Chairperson and Members of the Qualification Committee pursuant to LTFRB Office Order No. 2019-397, this 30 JUN 2022 day of 2022 at Quezon City, Philippines.


MICHAEL ANGELO B. CABILDO
Chairperson


JUDE L. LAXA
Member

ON LEAVE
MARIZA S. LLAVORE
Member


MARISSA PAULA E. MAMAUAG
Member

Affirmed by the Board:


ATTY. MARTIN B. DELGRA, III
Chairman


ENGR. SHERWIN LYLIL S. BEGYAN
Board Member


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

Attested by:


MARIA KRISTINA E. CASSION, MBA, CESE
Executive Director