IMPLEMENTING GUIDELINES OF DEPARTMENT ORDER NO. 2015-011 ON THE OPENING OF AIRPORT BUS SERVICE

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Adopted: 01 July 2015
Date Filed: 02 July 2015

Pursuant to Section 5 of Executive Order No. 202 empowering the Board “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 in accordance with the public land transportation development plans and programs approved by the Department of Transportation and Communications” and “to formulate, promulgate, administer, implement and enforce rules and regulations on land transportation public utilities, standards of measurements and/or design, and rules and regulations requiring operators of any public land transportation service to equip, install and provide in their utilities and in their stations such devices, equipment facilities and operating procedures and techniques as may promote safety, protection, comfort and convenience to persons and property in their charges as well as the safety of persons and property within their areas of operations,” the following Implementing Guidelines of Department Order No. 2015-011 on the Opening of Airport Bus Service are hereby promulgated.

I. Airport Bus Service

In accordance with Department Order No. 2015-011, the Airport Bus Service is introduced with the following operation characteristics:

Bus Body Make

:

a) Ordinary coach;
b) Euro IV or better emission standard or clean alternative fuel with equivalent or better emissions (e.g. electric or hybrid vehicles);
c) Low floor entry (0.28-0.38m);
d) With adequate luggage racks/compartments based on estimated number of air passengers and other riders;
e) Must have emergency exits and tempered panoramic glass windows.

Ventilation

;

Airconditioned.

Routes

;

To be identified by DOTC. Fare : As authorized by LTFRB.

Operating Conditions

;

a) Service with scheduled trips and designated off-street stops for loading/unloading passengers;
b) No loading/unloading of passengers outside of designated off-street stops;
c) With on-board CCTV, 4 cameras, continuous recording of minimum past 72 hours of bus operations;
d) With vehicle tracking via on-board GPS devices;
e) With free Wi-fi for all passengers;
f) With on-board automated bus arrival electronic display and announcement system;
g) With automatic fare collection system as one of the options for payment;
h) Drivers under salary, with no compensation linked to ridership, but with incentives for better customer service and reduction of accidents;
i) With booking office, lay-over area/garage, and off-street loading/unloading areas.

In addition to the above, the following conditions are hereby attached for the category of “Premium Airport Bus:”

a)

Maximum twenty-four (24) seated passengers in a 12-meter bus per row with 2 + 1 configuration of reclining seats, except for the last row of seats; space for one passenger with wheel chair; foldable or retractable wheelchair ramp at entry; see annex A for possible bus seating configuration;

b)

Minimum operating time: 4:00 am-12:00 midnight (could expand to 24-hour service);

c)

Maximum headway: At start of operation, every 30 minutes; at start of second year, every 20 minutes (if travel speeds on the route improve, headways could be further reduced at discretion of the operator);

d)

Bus external color/branding to be specified by LTFRB;

e)

Common Booking/Ticketing Office at Airport;

f)

24-hour customer service accessible via email/phone hotline/SMS, with obligation for substantial response within 12 hours;

g)

Facility for advance ticketing and seat booking via mobile phone application and internet;

h)

Facility for monitoring bus arrival/departure times at specific stops via mobile phone application and internet;

II. ROUTES

The following routes will be “bundled” and awarded as a single package to one successful (1) applicant.

1. NAIA - ROXAS BOULEVARD AND VICINITY (MALL OF ASIA, ENTERTAINMENT, ETC.)

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Route Length

:

Approximately 24 kilometers (round trip)

Specific Route/Stops

:

Subject to the proposal of the applicant

Maximum Headway

:

30 minutes at start of operations; 20 minutes after one year

Authorized Units

:

24 units

Fare

:

Three Hundred Pesos (Php 300.00)

2. NAIA - MAKA TI CENTRAL BUSINESS DISTRICT

Route Length

:

Approximately 18 kilometers (round trip)

Specific Route/Stops

:

Subject to the proposal of the applicant

Maximum Headway

:

30 minutes at start of operations; 20 minutes after one year

Authorized Units

:

18 units

Fare

:

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Php 300.00

Fifty percent (50%) of the allocated units per route should be available within four (4) months from Notice of Selection and before grant of a Certificate of Public Convenience (CPC). Failure to strictly comply with this delivery schedule of the first 50% will disqualify the selected applicant from pursuing the Application for CPC. In which case, another round of public lottery will be conducted to select the next applicant from among the previously qualified applicants for further processing. The remaining 50% should be available within a year from grant of CPC; otherwise, CPC will be cancelled.

Each route will have two sub-routes - one serving NAIA Terminals 1 and 2 (T1/T2) and the other serving NAIA Terminal 3 (T3). Each route variant or sub- route should have no more than 5 stops, all within the “target zone” to ensure efficient travel times for passengers.

III. QUALIFICATION REQUIREMENTS

Applicants must submit all the Legal, Technical, and Financial Capability Qualification Documents (collectively referred to as “Qualification Documents”) provided below.

1.

Legal Qualification

a)

Filipino citizen who is at least eighteen (18) years old:

a.1)

Original copy of Birth Certificate duly issued by the National Statistics Office.

b)

Filipino domestic juridical entity with a primary purpose to provide transportation services:

b.1)

if corporation or partnership, Certified True Copies of Certificate of Registration, Articles and By-laws, and latest General Information Sheet duly issued/received by the Securities and Exchange Commission;

b.2)

if cooperative, Certified True Copies of Certificate of Registration, Articles and By-laws, and latest Cooperative Annual Performance Report duly issued/received by the Cooperative Development Authority.

2.

Technical Qualification

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The Applicant must provide the following:

a)

Schematic Diagram of the unit with seating configuration;

b)

Proposed delivery schedule of the units with notarized Certification from supplier, assembler and manufacturer, if based in the Philippines; if based outside of the Philippines, the Certification must be authenticated by a Philippine Consulate/Embassy;

c)

Detailed map of proposed route and sub-routes with location of specific off- street terminals/stops indicated;

d)

Full day timetable/bus schedule for each sub-route in first year and in second year of operations, indicating bus dispatch times and estimated arrival times at each stop;

e)

Copies of Letters of Support from property owners/managers regarding access to, or use of, each off-street loading and unloading area in the route map, in case applicant is selected;

f)

Scale map showing location and area of proposed garage/depot with separate space provision of at least 40 sqm. per unit; this should be over and above the existing garage/depot space of their current bus fleet; and,

g)

Evidence of access to proposed garage/depot space (land ownership papers; or Letter of Support from property owners/managers regarding access to, or use of, bus depot site, in case applicant is selected).

3.

Financial Capability Qualification

The Applicant must provide the following:

a)

Certified true copy of Audited Financial Statement dated not earlier than 31 December 2014, stamped “received” by the Bureau of Internal Revenue or its Authorized Agent Banks;

b)

Irrevocable Letter of Credit in favor of the applicant to finance the proposed bus fleet, issued by a domestic

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universal or commercial bank duly licensed by the Bangko Sentral ng Pilipinas;

c)

The sum of the amount of the Irrevocable Letter of Credit plus the Net Worth of the Applicant (as derived from the Audited Financial Statement) should be no less than Four Hundred Twenty Million Pesos (Php 420,000,000.00);

d)

Financial projections for the first 5 years of operations, showing detailed revenues and costs, as well as projected demand, including assumptions made.

IV. QUALIFICATION DOCUMENTS

The Applicant shall submit one (1) original copy and two (2) photocopies containing a Table of Contents and bound together in ring binders or folders sealed in an envelope or a box and appropriately addressed and marked as follows:

LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD

Premium Airport Bus Service

QUALIFICATION DOCUMENTS

[NAME AND ADDRESS OF APPLICANT]

DO NOT OPEN BEFORE 03 AUGUST 2015

The Qualification Documents must be submitted between 9:00 a.m. and 2:00 p.m. (Philippine Standard time) on the Submission Date of Qualification Documents at the Office of the Executive Director. Each set of the Qualification Documents submitted by an Applicant shall be numbered in the order received and stamped with the date and time of receipt.

Filing or submission of Qualification D

V. SELECTION PROCESS

A Pre-Qualification Committee for the Pre-Qualification Process is created:

Chairman

:

Atty. Roberto P. Cabrera III

Member

:

Atty. Robert D. Peig, CESO V

Member

:

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Ms. Nida Quibic

Member

:

Ms. Esther Rosimo

Member

:

Atty. Mary Ann Salada

Immediately after 2:00 p.m. on 03 August 2015, the Committee will begin the opening proceedings by announcing the names of the Applicants who have submitted Qualification Documents and any such other details as it may consider appropriate. The Committee will then proceed with the opening of the envelopes/boxes of each applicant, one at a time and in the order in which the same are received. The applicant or any duly authorized representative for each applicant present during the opening proceedings shall register confirming their attendance. For guidance, the timeline for the pre-qualification process shall be as follows:

Milestone

Party Responsible

Indicative Timeline

Publication of Memorandum Circular: Implementing Guidelines of D.O. No. 2015-011 on the Opening of Airport Bus Service

LTFRB

02 July 2015

Pre-Qualification Conference

LTFRB

10 July 2015,
10:00 am

Submission Date of Qualification Documents

Prospective Applicants

03 August 2015

Opening Qualification Documents

LTFRB

03 August 2015

Notification of the results of evaluation of the Qualification Documents (and, if needed, Conduct of the Public Lottery)

LTFRB

10 August 2015

VI. EVALUATION OF QUALIFICATION DOCUMENTS

The Committee shall examine the Qualification Documents within seven (7) days after the Submission Date of Qualification Documents. 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. The Committee may seek clarification from the Applicants on the form and contents of their Qualification Documents. The Committee may also make inquiries with any person, government authority, client organization, officer, director, employee or other agent of any Applicant or Affiliate of any of these entities for the purpose of clarifying any matter included in its Qualification Documents.

All submitted information and any clarifications requested by the Committee shall be assessed against the criteria for qualification as set out above and rated on a “PASS-or-FAIL” basis. The overall rating for the evaluation will be “QUALIFIED” if each criterion is rated passed and each required Qualification Document and attachment is completely submitted. The Applicant will be disqualified if any criterion is rated “FAILED” or if any required Qualification Document or attachment is missing. If there are two (2) or more qualified applicants, a public

“ lottery” with the presence of the qualified applicants will determine which applicant will be processed further.

The Applicant selected for further processing will be asked to submit an Application for the Issuance of a Certificate of Public Convenience with the Board.

VII. REPEALING CLAUSE AND EFFECTIVITY

All other issuances inconsistent herewith are deemed modified or superseded accordingly.

This Memorandum Circular shall take effect immediately following its publication in at least one newspaper of general circulation. Let three (3) copies hereof be filed with the UP Law Center pursuant to Presidential Memorandum Circular No. 11, dated 09 October 1992.

SO ORDERED. 01 July 2015.

(SGD) ATTY. WINSTON M. GINEZ, CPA
Chairman

(SGD) ENGR. RONALDO F. CORPUS
Board Member

(SGD) ATTY. ANTONIO ENRILE-INTON, JR,
Board Member

Attested by:

(SGD) ATTY. ROBERTO P. CABRERA III
Executive Director

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