

IMPLEMENTING RULES AND REGULATIONS OF PRESIDENTIAL PROCLAMATION (PP) NO. 684

NAMRIA PRESIDENTIAL PROCLAMATION (PP) NO. 684, February 09, 2005

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SECTION 1. Mandate

1.1 These Implementing Rules and Regulations (IRR) are adopted pursuant to Presidential Proclamation No. 684 signed by President Gloria Macapagal-Arroyo on 05 August 2004, amending Proclamation No. 389 dated March 17, 1989 which reserved a parcel of land located in Fort Bonifacio, Taguig, Metro Manila for the use of the National Mapping and Resource Information Authority (NAMRIA), by segregating a portion of the land embraced therein and reserving the same as NAMRIA Housing Site open for disposition under the provisions of the Urban Development and Housing Act (R.A. 7279), by the National Housing Authority.;

SECTION 2. Scope

2.1 The IRR shall include the guidelines and procedures to be followed in the implementation of Proclamation No. 684 as well as the parameters of the implementing agencies in the valuation and disposition of the property subject thereof.

SECTION 3. Project Site

3.1 The proposed site for the NAMRIA Employees Housing Project is the 24,161 square meter lot, more or less, situated in the general vicinity of Fort Bonifacio, Western Bicutan, Taguig, Metro Manila.

SECTION 4. Project Beneficiaries and their Qualification

4.1 The medium rise housing and house and lot units that the project will generate shall be earmarked specifically for the qualified personnel of NAMRIA, regardless of employment status, as the beneficiaries, pursuant to Proclamation No. 684.

4.2 Employees with their respective spouses, parent/s and sons/daughters also employed at NAMRIA may apply for a housing unit either individually or jointly with any of the mentioned family members, subject to the rules thereof.

4.3 Those who are employed in NAMRIA as of 05 August 2004 and thereafter, whether they remain in the service or are separated after 05 August 2004, are eligible as beneficiaries of the housing project. Provided, that such separation from the service is not for cause; and provided further that those who will avail of financing from the Home Development Mutual Fund (HDMF) will continue to be active members of the Fund even after their separation from the service.

4.4 Qualified beneficiaries are those who are able to meet the following requirements:

4.4.1 Must be a Filipino citizen of legal age;

4.4.2 Must be an employee of NAMRIA subject to the provisions of Section 4.3;

4.4.3 Must not be a current recipient, beneficiary, or awardee of any housing program of the government;

4.4.4 Must have filed the proper application before the NAMRIA Housing Committee;

4.4.5 Must be qualified to avail of the financing facility of the HDMF.

4.5 Beneficiaries shall be selected based from the following order of priority:

4.5.1 permanent employees who do not own any house and/or residential lot;

4.5.2 Permanent employees who own a house and/or lot outside Metro Manila;

4.5.3 Permanent employees who own a house and/or lot within Metro Manila;

4.5.4 Co-terminus or casual employees who do not own any house and/or residential lot;

4.5.5 Co-terminus or casual employees who own a house and/or residential lot outside Metro Manila;

4.5.6 Co-terminus or casual employees who own a house and/or residential lot within Metro Manila;

4.5.7 Contractual employees who do not own any house and/or residential lot;

4.5.8 Contractual employees who own a house and/or residential lot outside Metro Manila;

4.5.9 Contractual employees who own a house and/or residential lot within Metro Manila.

SECTION 5. Application

5.1 The IRR shall apply to the above-described property pursuant to Proclamation No. 684, subject to final survey of the Department of Environment and Natural Resources (DENR).

SECTION 6. General Policies

6.1 The IRR shall govern the participation and involvement of concerned national government agencies, namely, the Housing and Urban Development Coordinating Council (HUDCC); NAMRIA; Department of Environment and Natural Resources (DENR); National Housing Authority (NHA); Home Development Mutual Fund (HDMF); the Municipal Government of Taguig (Taguig); and the Organization of NAMRIA Employee (ONE) in the disposition of the subject property to all qualified beneficiaries.

6.2 A local Inter-Agency Committee (LIAC) shall be created to develop the subject property as a viable community through participatory planning of all stakeholders.

SECTION 7. Local Inter-Agency Committee

7.1 Creation of the Local Inter-Agency Committee (LIAC) - A Local Inter-Agency Committee who shall be responsible for the conduct and management of the development and disposition of the subject property is hereby created.

7.2 Objectives of the LIAC. The LIAC created herein shall be guided by the following objectives:

7.2.1 Facilitate the activities necessary to equitably dispose the subject property to the qualified beneficiaries through the award of housing units, based on the beneficiaries' affordability level and consistent with the government's cost recovery program; and

7.2.2 Develop the site as a viable community through participatory planning and utilization of appropriate development schemes.

7.3 Responsibilities of the LIAC - The LIAC shall be principally responsible for the following:

7.3.1 Serve as the over-all coordinating body for the entire disposition process;

7.3.2 Formulate and adopt the appropriate rules and guidelines for the project's various pre-implementation, implementation and post-implementation activities;

7.3.3 Design a work plan that will expedite project completion and the disposition of the generated units to qualified beneficiaries;

7.3.4 Solicit the participation of other public and private sector organizations for the smooth implementation of the project;

7.3.5 Decide on all issues and concerns affecting all stages of project implementation.

7.4 Constitution of the LIAC - The LIAC shall be composed of the following agencies: HUDCC, NAMRIA, DENR, NHA, HDMF, the Municipal Government of Taguig, and ONE. The said agencies shall perform their respective functions as set forth herein:

7.4.1 The HUDCC shall:

7.4.1.1 Act as the lead agency and Chairman of the LIAC, and as such, coordinate and monitor the various activities of all the parties in relation to the implementation of the housing project and the disposition of the property subject of development;

7.4.1.2 Oversee the implementation of the entire project;

7.4.1.3 Oversee the awarding of the units to qualified beneficiaries in coordination with NHA, NAMRIA, ONE, HDMF, and other concerned government agencies;

7.4.1.4 Perform such other functions as may be necessary to effectively carry out the provisions of this IRR.

7.4.2 The NAMRIA shall:

7.4.2.1 Serve as co-chair of the LIAC;

7.4.2.2 Formulate the guidelines for the disposition of the subject property and in the selection of beneficiaries;

7.4.2.3 Undertake and supervise the actual boundary and topographic surveys of the proclaimed area;

7.4.2.4 Coordinate with the various concerned government agencies, bureaus and instrumentalities, including the concerned employee association for the implementation of the provisions of Proclamation 684 and this IRR;

7.4.2.5 Prepare the documentary requirements for end-buyer's financing of the completed units;

7.4.2.6 Prevent the incursion of informal or unauthorized settlers in the project site; and

7.4.2.7 Perform such other functions as may be necessary to effectively carry out the provisions of this IRR.

7.4.3 The DENR shall:

7.4.3.1 Approve the actual boundary and subdivision surveys conducted by NAMRIA of the proclaimed area, to include the technical descriptions of the said property based on the approved subdivision plans;

7.4.3.2 Provide the LIAC the necessary documents pertaining to the property such as land titles, plans and other pertinent data;

7.4.3.3 Facilitate the issuance of a Special Patent covering the area reserved for housing development in favor of the National Housing Authority;

7.4.3.4 Issue the necessary permits and licenses, such as the Environmental Clearance Certificate (ECC);

7.4.3.5 Perform such other functions as may be necessary to effectively carry out the provisions of this IRR.

7.4.4 The NHA shall:

7.4.4.1 Act as Administrator of the proclaimed property until such time that the same is finally disposed of to the qualified beneficiaries;

7.4.4.2 Assist in the formulation of the guidelines on beneficiary selection and disposition of the project's generated units;

7.4.4.3 In coordination with the targeted beneficiaries and with the various concerned agencies, prepare the schematic site development plan for the property subjected of development for the approval of LIAC;

7.4.4.4 Prepare the project's pre-feasibility/feasibility studies based on the final development and disposition concept approved by the LIAC;

7.4.4.5 Prepare the Terms of Reference (TOR) for the project's bidding subject for approval by the LIAC;

7.4.4.6 Undertake the bidding and award of the project, through the projects Bids and Awards Committee (BAC) MENTIONED IN Section 7.5.1.2, subject to approval of the LIAC;

7.4.4.7 Act as Project Manager of the proclaimed land until the same is finally developed and turned-over to the beneficiaries, whichever comes first;

7.4.4.8 Perform such other function as may be necessary to effectively carry out the provisions of this IRR.

7.4.5 The HDMF shall:

7.4.5.1 Mobilize its resources for the development of the NAMRIA Employees Housing Project under a turn-key or joint venture scheme, or through any of its other existing programs acceptable to the beneficiaries;

7.4.5.2 Assist NAMRIA and NHA, through the Beneficiary Selection Group, in the formulation of the guidelines for the disposition of the subject property and in the selection of beneficiaries which shall be in accordance with existing policies and procedures of the HDMF;

7.4.5.3 Process the housing loan application of the qualified NAMRIA employees and guarantee the take-out of all eligible mortgages;

7.4.5.4 Perform such other functions as may be necessary to effectively carry out the provisions of this IRR.

7.4.6 The Municipal Government of Taguig shall:

7.4.6.2 Review and approve the proposed development plan for the proclaimed property vis-à-vis its existing local development and land use plans and issue the necessary permits and licenses;

7.4.6.3 Assist in the determination of the valuation of the property subject of development in coordination with the DENR, NHA and other concerned government agencies;

7.4.6.4 Perform such other functions as may be necessary to effectively carry out the provisions of this IRR.

7.4.7 The Organization of NAMRIA Employees (ONE) shall:

7.4.7.1 Participate in the formulation of the guidelines for beneficiary selection and disposition of the proclaimed property;

7.4.7.2 Participate in the conduct of community relations, social preparation, and information dissemination activities including the finalization of the development plan;

7.4.7.3 Participate in all activities primarily to resolve and decide on disputes involving the award of the generated units;

7.4.7.4 Perform such other functions as may be necessary to effectively carry out the provisions of this IRR.

7.5 Creation of the Technical Working Groups (TWGs)

7.5.1 The LIAC shall create the following technical working groups:

7.5.1.1 Project Development Group

The group shall be chaired by NHA with NAMRIA, DENR, HDMF and the Municipality of Taguig as members. It is tasked to draw up the schematic plan for the proclaimed area taking into consideration the social and technical requirements of the project beneficiaries. It is further tasked to determine the Project's total cost vis-a-vis the affordability and acceptability of the generated units by the individual beneficiaries.

7.5.1.2 Technical Land Research Group

The Group shall be chaired by DENR with NAMRIA, NHA and the Municipality of Taguig as its members. It shall undertake the study on land development, title verification and approval of survey plans and shall define the process of lot distribution. It shall likewise determine the valuation of the proclaimed property based on coordination with concerned agencies and recommend to the LIAC for its approval the fair market value of the same.

7.5.1.3 Beneficiary Selection and Disposition Group

The group shall be chaired by NAMRIA and ONE, NHA and HDMF as its members. It shall formulate the criteria for beneficiary selection, to include prioritization, and shall create the Awards and Arbitration Committee (AAC) whose main task is to resolve and decide disputes involving the award of housing units.

SECTION 8. Design/Planning Concept

8.1 Site planning, space planning and design shall conform to the provisions of BP 220, Condominium Act (PD 957), National Building Code of the Philippines (PD 1096), Accessibility Law (BP 344), Amending Rules and Standards for Economic and Socialized Housing Projects to Implement BP 220 (HLURB Resolution No. 579), National Structural, Electrical, Plumbing (RA 1378, 1993-1994 Revisions) and Fire Code (PD 1185) and other laws and regulations covering environmental concerns and local ordinances and regulations.

8.2 The project planning shall include a cost/financial recovery scheme which shall be subject for approval by the NHA Board.

SECTION 9. Generated Units

9.1 Based on the feasibility study prepared by NHA as a result of the coordination undertaken with the target beneficiaries of NAMRIA, the classification of the generated units of the various housing models, as well as the number and sizes of the units will be established.

9.2 The final selling prices of the generated units shall be based on the feasibility study approved by the LIAC.

SECTION 10. Contract Bidding, Award and Duration

10.1 Creation of the Bids and Awards Committee (BAC)

A Bids and Awards Committee shall be created with HUDCC as chair, NHA as co-chair and NAMRIA, DENR and ONE as members. It shall primarily undertake the bidding and award of the project.

10.2 The project shall be publicly bid out and awarded under a design and construct mode of tender on a joint venture or turn-key arrangement with the private developer in order to maximize fund and technical resource utilization and be able to solicit the most advantageous and acceptable proposal to government.

10.3 The BAC, through NHA, shall have the project advertised, undertake evaluation of the eligibility of interested proponents, issue the approved bid documents, evaluate proposals and award the project to the winning proponent, subject to existing government procurement laws and guidelines and other applicable laws.

10.4 Contract duration shall be based on the winning proponent's proposal and shall be strictly monitored as to implementation schedule in compliance with specifications approved by the LIAC.

SECTION 11. Fund Sources

11.1 The HUDCC and NAMRIA, as lead agencies of the LIAC, shall identify other possible sources of funds for the project such as, but not limited to the regular budget from concerned agencies, the disbursement of which shall be subject to appropriate government accounting and auditing rules.

11.2 The funds sourced out or appropriated shall be disbursed specifically for site operations, and logistical support activities for social preparation, survey, consultation and other related activities duly authorized by the LIAC.

SECTION 12. Amendment

12.1 The LIAC, sitting as a collegial body, may issue additional or amendatory guidelines to supplement or amend this IRR.

12.2 The Technical Working Groups herein created may also adopt their respective rules or procedure in accordance with the provisions of this IRR and other pertinent rules, subject to the review and approval of the LIAC.

SECTION 13. Effectivity

13.1 This IRR shall take effect upon approval.

Adopted: 09 Feb. 2005

(SGD.) NOLI L. DE CASTRO
Vice President of the Philippines
and Chairman, HUDCC

(SGD.) MICHAEL T. DEFENSOR
Secretary, DENR

(SGD.) DIONY A. VENTURA
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