

# Republic of the Philippines OFFICE OF THE CITY MAYOR

City of Davao

### Series of 2021

## "AN ORDER CREATING THE LOCAL INTER-AGENCY COMMITTEE FOR RESETTLEMENT FOR THE DAVAO HIGH PRIORITY BUS SYSTEM PROJECT AND MINDANAO RAILWAY PROJECT"

**WHEREAS**, the City of Davao, as the local government unit mandated by law to deliver efficient and effective provision of basic services and facilities to its people, hereby employ its mandated power under the law to provide adequate, safe and modern transportation to them;

**WHEREAS**, Section 2, paragraph (c) of Republic Act No. 7160, or the Local Government Code of 1991, declares that it's a State policy to require all national agencies and offices are required to conduct periodic consultations with appropriate local government units, nongovernmental and people's organizations, and other concerned sectors of the community before any project or program is implemented in their respective jurisdictions.

**WHEREAS**, Section 25, paragraph (b) of the same Code mandates all national agencies and offices with project implementation functions to coordinate with one another and with the local government units concerned in the discharge of these functions;

**WHEREAS,** Section 18 of the same Code further authorizes local government units to establish an organization that shall be responsible for the efficient and effective implementation of their development plans, programs, objectives and priorities;

**WHEREAS**, the Department of Transportation, through the Office of the Assistant Secretary for Project Implementation – Mindanao Cluster, expressed through its letter dated June 30, 2021 addressed to the Office of the Davao City Mayor, its intent to create a Local Inter-Agency Committee to handle the resettlement aspect of its two projects, namely: the Davao High Priority Bus System Project (HPBS) and the Mindanao Railway Project (MRP);

**WHEREAS**, in order to ensure the successful integration and effective management of the resettlement aspects of HPBS Project and MRP, there is a need to formulate a Local Inter-agency Committee for Resettlement to properly manage and coordinate the concerns pertaining this aspect across all agencies;

**NOW, THEREFORE**, I, **SARA Z. DUTERTE, Mayor of the City of Davao**, by virtue of the powers vested in me by law, do hereby order:

**SECTION 1. CREATION AND COMPOSITION.** The Local Inter-agency Committee for Resettlement for HPBS and MRP ("LIAC for Resettlement" for brevity) is



hereby created, and it shall be composed by the following persons and/or heads of the following offices, to wit:

**Chairperson** : Office of the City Mayor

**Co-Chairperson** : Department of Transportation – Region XI

Regular Members :

1) National Housing Authority - Region XI;

- 2) Department of Human Settlements and Urban Development XI;
- 3) Presidential Commission on Urban Poor Region XI;
- 4) Commission on Human Rights Region XI;
- 5) Department of Interior and Local Government Region XI;
- 6) Philippine National Polics Region XI;
- 7) Department of Education Region XI;
- 8) Department of Social Welfare and Development Region XI;
- 9) Department of Labor and Employment Region XI;
- 10) Department of Environment and Natural Resources Region XI;
- 11) Department of Trade and Industry Region XI;
- 12) Technical Education and Skills Authority Region XI;
- 13) Registry of Deeds for Davao City;
- 14) City Assessor's Office:
- 15) City Planning and Development Office;
- 16) City Social Welfare and Development Office;
- 17) City Engineer's Office;
- 18) Affected Barangays per project

All members of the LIAC for Resettlement are hereby directed to name their respective alternate and permanent representatives who shall take their place in case of their absence.

**SECTION 2. DUTIES AND FUNCTIONS.** The LIAC for Resettlement is primarily tasked to plan, coordinate, implement and align across agencies all project components of the HPBS and MRP. It shall conduct at least one (1) meeting every month.

Whenever necessary, the LIAC for Resettlement shall conduct periodic consultations and coordination with other local government units, national government offices, and the private sectors. The affected barangays are hereby directed to provide its full cooperation and ensure that its own projects are at all times concurrent with the LIAC for Resettlement, to afford the least amount of inconvenience to the public.

**SECTION 3. SECRETARIAT.** The Office of the Assistant City Administrator for Administration is hereby directed as the Secretariat of the LIAC for Resettlement, and shall be tasked to handle all its administrative and secretarial functions.

**SECTION 4. FUNDING/OPERATING COSTS.** All costs pertaining to the operation of LIAC for Resettlement shall be taken from the available funds of the City Government of Davao or the project itself, subject to the usual accounting and auditing rules and regulations.

**SECTION 5. SEPARABILITY CLAUSE.** If any provision of this Executive Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

AN ORDER CREATING THE LOCAL INTER-AGENCY COMMITTEE FOR RESETTLEMENT FOR THE DAVAO HIGH PRIORITY BUS SYSTEM PROJECT AND MINDANAO RAILWAY PROJECT

**SECTION 6. REPEALING CLAUSE.** All orders or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 7. EFFECTIVITY. This Executive Order shall take effect immediately.

Done on OCT 0 4 2021 at Davao City, Philippines.

SARA Z, DUTERTE

Attested by:

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ATTY. ZULEIKA T. LOPEZ

City Administrator

CITY MAYOR'S OFFICE
CORRESPONDENCE AND RECORDS DIV
RELEASED

QCT 1 1 2021

AUTHOR
MARIA ELENA C. GUERZON
ADMINISTRATIVE AIDE VI
CMO CONTACT #: 241-1800 IDC 265-266, 09956299702



# Republic of the Philippines OFFICE OF THE CITY MAYOR

City of Davao

Ref. No. CAdO-2021-01886

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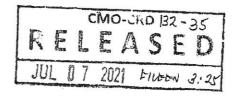
#### 1st INDORSEMENT

July 7, 2021

Respectfully forwarded to **Atty. Osmundo P. Villanueva, Jr.**, Officer-In-Charge, City Legal Office, this City, the within communication of Mr. Eymard D. Eje, Assistant Secretary, Project Implementation-Mindanao Cluster, Department of Transportation, relative to the Request for the Creation of a Local Inter-Agency Committee (LIAC) for Resettlement for the Davao High Priority Bus System Project (HPBS) and Mindanao Railway Project (MRP), for an opinion on the matter whether the request should be granted or not, when the opinion is favorable due to the urgency of the matter, please prepare the draft of the appropriate Executive Order for the City Mayor's consideration.

For the City Mayor:

ATTY. TRISTAN DWIGHT P. DOMINGO
Assistant City Administrator
(Administration)





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parent I appear this	ATTY. TRISTAN DWIGHT P. DOMINGO
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Office of the City Mayor Davao <davaocitymayor@gmail.com>

#### DOTr Davao HPBS: Request for Creation of a LIAC for Resettlement for Davao DOTr **Projects**

2 messages

Nicole Erika Cue <nicolecue.dotr@gmail.com> Thu, Jul 1, 2021 at 1:46 PM To: Catherine Calolot <catherine.calolot@davaocity.gov.ph>, Tristan Dwight Domingo <dwight.domingo@davaocity.gov.ph>, davaocitymayor@gmail.com, Joanna May Macaranas <jm.macaranas@dotrrailways.com>, Richard Villanueva <richard.dotr@gmail.com>, Angel Frances Salcedo <angel-frances.salcedo@arup.com>, tajangeles.dotr@gmail.com, jamesadamzozobrado@gmail.com, Missiles Somoza-Barro <missilessbarro.dotr@gmail.com>, Connie Macapayag <conniemacapayag.dotr@gmail.com>, Rowena Henedine Narajos <rowena.narajos@davaocity.gov.ph>, cpdo@davaocity.gov.ph, eadmphil@gmail.com, ivancortez10.1@gmail.com, Marlisa Gallo <marlisagallo@yahoo.com.ph>, marshamaeadolfo.dotr@gmail.com, kiboytabada.dotr@gmail.com, jamesorvilledelan.dotr@gmail.com

Good day, Ma'am/Sir,

In line with the ongoing projects of the Department of Transportation in Davao City namely the Davao High Priority Bus System and the Mindanao Railway Project, our office would like to recommend the creation of a Local Inter-Agency Committee to cater the resettlement needs of both projects. This matter has also been initially discussed with the LGU HPBS Team.

Kindly see the attached letter signed by Asec. Eymard D. Eje, Asst. Secretary for Project Implementation - Mindanao Cluster for more information on this matter.

Should you have any concerns, you may directly reply to this email or contact me through mobile number 0917 525 2191.

Thank you very much.

Best Regards,

NICOLE ERIKA CUE Community Development Officer III DAVAO HIGH PRIORITY BUS SYSTEM - PMO 09175252191



20210630 - Letter to CMI\_DOTr LIAC for Resettlement\_JMM-signed.pdf

Office of the City Mayor Davao <davaocitymayor@gmail.com> To: Nicole Erika Cue <nicolecue.dotr@gmail.com>

Fri. Jul 2, 2021 at 9:34 AM

Good day!

This is to acknowledge receipt of your email. We shall get back to you as soon as we have an update regarding your email. You may also reach us at (082) 241.1000 local 265 or 266.

Thank you.

ric

[Quited lest hidden]

OFFICE OF MAYOR SARA Z. DUTERTE Room 21, 2/F Davao City Hall City Hall Drive Davao City, Philippines (082) 224.3004 (082) 241.1000 local 266 and 265



#### REPUBLIC OF THE PHILIPPINES DEPARTMENT OF TRANSPORTATION

30 June 2021

SARA Z. DUTERTE City Mayor CITY GOVERNMENT OF DAVAO City Hall Drive, San Pedro St., Davao City

> THRU: ATTY. TRISTAN DWIGHT P. DOMINGO **HPBS** Project Lead

SUBJECT:

DOTr: Request for the Creation of a Local Inter-Agency Committee (LIAC) for Resettlement for the Davao High Priority Bus System Project (HPBS)

and Mindanao Railway Project (MRP)

#### Dear Mayor Duterte:

The Department of Transportation, through the Office of the Asst. Secretary for Project Implementation Mindanao Cluster, would like to express its intent to create a Local Inter-Agency Committee ("LIAC") intended for the Resettlement needs of its two projects namely the Davao High Priority Bus System Project ("HPBS") and the Mindanao Railway Project ("MRP") for easier coordination on the resettlement aspect of the project - from Pre-Resettlement to Actual Resettlement efforts.

Given this, the Davao HPBS Project has currently identified 31 Affected Households ("AHs") under its depots and terminals located in 7 barangays. The Draft Resettlement Action Plan of the Davao HPBS has reflected 24 AHs excluding the Sto. Nino Depot which houses the remaining 7 AHs. The reason for the exclusion is the lack of parcellary survey results of the depot for further verification.

The Mindanao Railway Project, on the other hand, has a total of 773 Affected Households under 23 barangays. 78 of which are located in the Toril Intermodal Station which is shared with the HPBS Project.

In addition, the recommended LIAC will include the following National and Local Government Offices:

- 1. National Housing Authority XI
- 2. Department of Human Settlements and Urban Development XI
- Presidential Commission on Urban Poor XI
- 4. Commission on Human Rights XI
- Department of Interior and Local Government
- 6. Philippine National Police
- 7. Department of Education
- 8. Department of Social Welfare and Development
- 9. Department of Labor and Employment
- 10. Department of Environment and Natural Resources

- Department of Trade and Industry
   Technical Education and Skills Authority
- 13. Registry of Deeds
- 14. City Assessor's Office
- 15. City Planning and Development Office 16. City Social Welfare and Development Office
- 17. City Engineer's Office
- 18. Affected Barangays per Project

Further, the recommended LIAC shall convene whenever there are issues and concerns on the resettlement of the Affected Households under the said projects.

Should you have any concern, please do not hesitate to contact Ms. Nicole Erika Cue, Community Development Officer III, through mobile number +63 917 525 2191 and email address dayaohpbs (agnaticom.

Thank you very much and we are looking forward to your response.

Sincerely yours,

EYMARD D. EJE

Asst. Secretary for Project Implementation - Mindanao Cluster



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	Thank you for your kind consideration.	For the City Administrator:	
-		ATTY TOTAL PURPOSE	
		ATTY. TRISTAN DWIGHT P. DOMINGO	
-	SIDE OF THE PARTY	Assistant City Administrator (Administration)	



#### Republic of the Philippines City of Davao

#### OFFICE OF THE CITY LEGAL OFFICER

Tel no. 227-5793 \* 225-0183 Trunk Line No. 241-1000 Loc. 267 -000-



Ref. No. CLO-2021	LEGAL OPINION No. 713
	SERIES OF 2021

SUBJECT: REQUEST FOR LEGAL OPINION ON REQUEST FOR THE CREATION OF A LOCAL INTER-AGENCY COMMITTEE FOR RESETTLEMENT FOR THE DAVAO HIGH PRIORITY BUS SYSTEM PROJECT (HPBS) AND MINDANAO RAILWAY PROJECT (MRP)

#### **2ND INDORSEMENT**

July 12, 2021

Respectfully returned to **ATTY. TRISTAN DWIGHT P. DOMINGO**, Acting Assistant City Administration for Operations, this City, the attached documents pertaining to the aforesaid subject, with the information that this Office finds no legal infirmity in the provisions of Executive Order. citing Section 455 (b)(2)(iii) of Republic Act No. 7160, also known as the Local Government Code of 1991, which states that:

#### "Section 455. Chief Executive; Powers, Duties and Compensation.

XXX

(b) For efficient, effective and economical governance the purpose of which is the general welfare of the city and its inhabitants pursuant to Section 16 of this Code, the city mayor shall:

XXX

(2) Enforce all laws and ordinances relative to the governance of the city and in the exercise of the appropriate corporate powers provided for under Section 22 of this Code, implement all approved policies, programs, projects, services and activities of the city and, in addition to the foregoing, shall:

XXX

(iii) Issue such executive orders for the faithful and appropriate enforcement and execution of laws and ordinances"

In connection thereto, attached herein as well is the draft Executive Order for the creation of Local Inter-agency Committee for Resettlement for HPBS and MRP, for information and appropriate action.

RESPECTFULLY SUBMITTED.

ATTY. LUCHIE G. SASTING ELIAS

Approved by:

ATTY. OSMUNDO P. VILLANUEVA, JR.

Acting City Legal Officer

Date approved:

OFFICE OF THE CITY ADMINISTRATOR
CITY HALL OFFICE
BAVAO CITY

Swal

JUL 16 2021 9:25am





## Republic of the Philippines OFFICE OF THE CITY MAYOR

City of Davao

### Series of 2021

### "AN ORDER CREATING THE LOCAL INTER-AGENCY COMMITTEE FOR RESETTLEMENT FOR THE DAVAO HIGH PRIORITY BUS SYSTEM PROJECT AND MINDANAO RAILWAY PROJECT"

**WHEREAS**, the City of Davao, as the local government unit mandated by law to deliver efficient and effective provision of basic services and facilities to its people, hereby employ its mandated power under the law to provide adequate, safe and modern transportation to them;

**WHEREAS**, Section 2, paragraph (c) of Republic Act No. 7160, or the Local Government Code of 1991, declares that it's a State policy to require all national agencies and offices are required to conduct periodic consultations with appropriate local government units, nongovernmental and people's organizations, and other concerned sectors of the community before any project or program is implemented in their respective jurisdictions.

**WHEREAS**, Section 25, paragraph (b) of the same Code mandates all national agencies and offices with project implementation functions to coordinate with one another and with the local government units concerned in the discharge of these functions;

**WHEREAS,** Section 18 of the same Code further authorizes local government units to establish an organization that shall be responsible for the efficient and effective implementation of their development plans, programs, objectives and priorities;

**WHEREAS**, the Department of Transportation, through the Office of the Assistant Secretary for Project Implementation – Mindanao Cluster, expressed through its letter dated June 30, 2021 addressed to the Office of the Davao City Mayor, its intent to create a Local Inter-Agency Committee to handle the resettlement aspect of its two projects, namely: the Davao High Priority Bus System Project (HPBS) and the Mindanao Railway Project (MRP);

**WHEREAS**, in order to ensure the successful integration and effective management of the resettlement aspects of HPBS Project and MRP, there is a need to formulate a Local Inter-agency Committee for Resettlement to properly manage and coordinate the concerns pertaining this aspect across all agencies;

**NOW, THEREFORE, I, SARA Z. DUTERTE, Mayor of the City of Davao,** by virtue of the powers vested in me by law, do hereby order:



**SECTION 1. CREATION AND COMPOSITION.** The Local Inter-agency Committee for Resettlement for HPBS and MRP ("LIAC for Resettlement" for brevity) is hereby created, and it shall be composed by the following persons and/or heads of the following offices, to wit:

**Chairperson** : Office of the City Mayor

**Co-Chairperson** : Department of Transportation – Region XI

Regular Members

1) National Housing Authority – Region XI;

- 2) Department of Human Settlements and Urban Development XI;
- 3) Presidential Commission on Urban Poor Region XI;
- 4) Commission on Human Rights Region XI;
- 5) Department of Interior and Local Government Region XI;
- 6) Philippine National Polics Region XI;
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- 8) Department of Social Welfare and Development Region XI;
- 9) Department of Labor and Employment Region XI;
- 10) Department of Environment and Natural Resources Region XI;
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- 12) Technical Education and Skills Authority Region XI;
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- 17) City Engineer's Office;
- 18) Affected Barangays per project

All members of the LIAC for Resettlement are hereby directed to name their respective alternate and permanent representatives who shall take their place in case of their absence.

**SECTION 2. DUTIES AND FUNCTIONS.** The LIAC for Resettlement is primarily tasked to plan, coordinate, implement and align across agencies all project components of the HPBS and MRP. It shall conduct at least one (1) meeting every month.

Whenever necessary, the LIAC for Resettlement shall conduct periodic consultations and coordination with other local government units, national government offices, and the private sectors. The affected barangays are hereby directed to provide its full cooperation and ensure that its own projects are at all times concurrent with the LIAC for Resettlement, to afford the least amount of inconvenience to the public.

**SECTION 3. SECRETARIAT.** The City Administrator's Office is hereby directed as the Secretariat of the LIAC for Resettlement, and shall be tasked to handle all its administrative and secretarial functions.

**SECTION 4. FUNDING/OPERATING COSTS.** All costs pertaining to the operation of LIAC for Resettlement shall be taken from the available funds of the City Government of Davao or the project itself, subject to the usual accounting and auditing rules and regulations.

**SECTION 5. SEPARABILITY CLAUSE.** If any provision of this Executive Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

**SECTION 6. REPEALING CLAUSE.** All orders or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

**SECTION 7. EFFECTIVITY.** This Executive Order shall take effect immediately.

Done	on	at	Davao	City,	Philippines.

SARA Z. DUTERTE
City Mayor

Attested by:

**ATTY. ZULEIKA T. LOPEZ** City Administrator