

# *ANNEX D*

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DPWH DEPARTMENT ORDER FOR THE ESTABLISHMENT  
OF ROW TASK FORCE



5. Conduct consultations with affected persons, private land developers, NGOs, local communities and other local government units on the ROW acquisition plan and relocation of affected families;
6. Identify and make arrangements for the development of sites for relocation, if any, for the project affected families.

The Task Force shall report the progress of its activities to the Steering Committee of the Cavite Busway Feasibility Study.

This order takes effect immediately.

  
SIMEON A. DATUMANONG  
Secretary

# *ANNEX E*

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VALUE OF TIME ANALYSIS

## ANNEX E: VALUE OF TIME ANALYSIS

### Mode Choice Model

(Based on SP Survey conducted for the Study)

#### 1) Car Users to Busway

- TT – OPC1 Model

$$P_{\text{busway}} = 1/(1+\exp(-U))$$

$P_{\text{busway}}$  = probability of switching to busway

$$U = B_0 + B_1TT + B_2OPC^1$$

TT = Travel Time<sub>car</sub> – Travel Time<sub>busway</sub>

$$OPC^1 = OPC_{\text{car}} - OPC_{\text{busway}}$$

$OPC_{\text{car/busway}}$  = Cost of gasoline + Cost of toll fee + Cost of parking + Cost of fare

B = parameters

	Value	t-stat	N	1791
$B_0$	-0.0011	-19.24	$Rh_0^2$	0.2050
$B_1$	0.0078	1.22	$Rh_0^2_{\text{adj}}$	0.2026
$B_2$	0.0059	7.88		

#### 2) Ordinary Bus to Busway

- TT – TRANS – FARE Model

$$P_{\text{busway}} = 1/(1+\exp(-U))$$

$P_{\text{busway}}$  = probability of switching to busway

$$U = B_0 + B_1TT + B_2TRANS + B_3FARE$$

TT = Travel Time<sub>busway</sub> – Travel Time<sub>ord bus</sub>

TRANS = Number of transfers<sub>busway</sub> – Number of transfers<sub>ord bus</sub>

FARE = Fare<sub>busway</sub> – fare<sub>ord bus</sub>

	Value	t-stat	N	1804
$B_0$	1.7747	8.94	$Rh_0^2$	0.1621
$B_1$	-0.0628	-5.22	$Rh_0^2_{\text{adj}}$	0.1589
$B_2$	-1.6583	-7.64		
$B_3$	-0.0524	-8.04		

3) Jeepney to Busway

- TT – TRANS – FARE Model

$$P_{\text{busway}} = 1/(1+\exp(-U))$$

$P_{\text{busway}}$  = probability of switching to busway

$$U = B_0 + B_1\text{TT} + B_2\text{TRANS} + B_3\text{FARE}$$

TT = Travel Time<sub>busway</sub> – Travel Time<sub>jeepney</sub>

TRANS = Number of transfers<sub>busway</sub> – Number of transfers<sub>jeepney</sub>

FARE = Fare<sub>busway</sub> – fare<sub>jeepney</sub>

	Value	t-stat	N	1817
$B_0$	-0.8315	-2.40	$Rh_0^2$	0.4309
$B_1$	-0.0071	-0.38	$Rh_0^2_{\text{adj}}$	0.4278
$B_2$	-1.0390	-3.50		
$B_3$	-0.0127	-1.07		

# *ANNEX F*

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## DETAILED PROJECT COST ESTIMATES

## ANNEX F: DETAILED PROJECT COST ESTIMATES

Project Cost

Summary

			Service Road			Bus Way			Total		
			F/C (M Peso)	L/C (M Peso)	Total (M Peso)	F/C (M Peso)	L/C (M Peso)	Total (M Peso)	F/C (M Peso)	L/C (M Peso)	Total (M Peso)
A. Direct Cost	A-1	Earth Work	83.5	194.8	278.2	0.0	0.0	0.0	83.5	194.8	278.2
	A-2	Pavements	502.5	319.6	822.1	387.7	217.7	605.4	890.3	537.3	1,427.5
	A-3	Drainage	121.6	161.3	282.9	0.0	0.0	0.0	121.6	161.3	282.9
	A-4	Structure	219.8	134.7	354.5	372.9	211.3	584.2	592.7	346.0	938.7
	A-5	Cross Road Improvement	60.2	34.7	94.9				60.2	34.7	94.9
	A-6	Road Safety Facilities	37.0	36.4	73.4	0.0	0.0	0.0	37.0	36.4	73.4
	A-7	Terminals and Off-road Facilities				39.9	30.5	70.4	39.9	30.5	70.4
	A-8	Bus Stop				116.5	45.5	162.0	116.5	45.5	162.0
	A-9	Bus Depot				83.6	51.4	135.0	83.6	51.4	135.0
	A-10	Miscellaneous of other Facilities	114.4	76.2	190.6	93.4	62.3	155.7	207.8	138.5	346.3
	A-11	Mobilization and Demob.	29.4	12.6	41.9	24.0	10.3	34.3	53.3	22.9	76.2
	A-12	Relocation of Existing Utilities	21.0	17.2	38.1	17.1	14.0	31.1	38.1	31.2	69.3
	Total of A			1,189.4	987.4	2,176.8	1,135.2	642.9	1,778.1	2,324.6	1,630.3
B. Indirect Cost	B-1	Land Acquisitions	0.0	2,648.8	2,648.8	0.0	1,135.2	1,135.2	0.0	3,784.0	3,784.0
	B-2	Administration (3% of (A+B.1))	113.8	48.8	162.5	48.8	20.9	69.6	162.5	69.6	232.2
	B-3	Engineering Services (8% of A)	139.3	34.8	174.1	113.8	28.4	142.2	253.1	63.3	316.4
	B-4	Physical Contingencies (10% of A+B3)	132.9	102.2	235.1	124.9	67.1	192.0	257.8	169.4	427.1
	Total of B			385.9	2,834.6	3,220.6	287.4	1,251.7	1,539.1	673.4	4,086.3
C. Total Project Cost (A + B)			1,575.3	3,822.0	5,397.3	1,422.6	1,894.6	3,317.2	2,998.0	5,716.5	8,714.5

- note
- A-10: 10% of the Direct Cost ( A-1 to A-9)
  - A-11: 2% of the Direct Cost ( A-1 to A-9)
  - A-12: 2% of the Direct Cost (A-1 to A-9)

LP	F/C	2,998.0		
	L/C	1,449.4		4,447.4
GOP	L/C		483.1	
	L/C		3,784.0	4,267.1
Total				8,714.5

Direct Construction Cost and Land Acquisition Cost by Section

Section I (Service Road): Bacoor (STA0+00 to STA0+00)

Section II (Service Road): Imus (STA0+00 to STA0+00)

Section III (Service Road): Dasmariñas (STA0+00 to STA0+00)

Section IV: Coastal Road Access

Section I (Busway): Bacoor (STA0+00 to STA0+00)

Section II (Busway): Imus (STA0+00 to STA0+00)

Section III (Busway): Dasmariñas (STA0+00 to STA0+00)

Busway and Service Road From Aguinald Highway to Govonor



Busway  
Section I

				Unit	Unit Price	Quantity	Unit Price		Amount		Total Cost (M Peso)
							F/C (Peso)	L/C (Peso)	F/C (M Peso)	L/C (M Peso)	
A. Direct Cost	A-1	Earth Work	Embankment				0	0	0.0	0.0	0.0
			Total						0.0	0.0	0.0
	A-2	Pavements	Busway (Concrete)	m2	3,165	9,183	1424.25	1740.75	13.1	16.0	29.1
			Busway (Asphalt)	m2	2,919	18,649	1897.35	1021.65	35.4	19.1	54.4
			Bicycle				0	0	0.0	0.0	0.0
			Footpass				0	0	0.0	0.0	0.0
			Total						48.5	35.0	83.5
	A-3	Drainage	Road Surface Drainage System				0	0	0.0	0.0	0.0
			Pipe Culvert ( 00mm)				0	0	0.0	0.0	0.0
			Box Culvert (00m x 00m)				0	0	0.0	0.0	0.0
			Total						0.0	0.0	0.0
	A-4	Structures	Flyover Structure	m2	18,258	10,621	11867.7	6390.3	126.0	67.9	193.9
			Over Bridge (Cross Road)				0	0	0.0	0.0	0.0
			Total						126.0	67.9	193.9
	A-5	Cross Road Improvement	Pavement (Roadway)				0	0	0.0	0.0	0.0
			Pavement (Footway)				0	0	0.0	0.0	0.0
			Drainage System				0	0	0.0	0.0	0.0
			Road Sign and Marking				0	0	0.0	0.0	0.0
			Total						0.0	0.0	0.0
	A-6	Road Safety Facilities	Traffic Signal				0	0	0.0	0.0	0.0
			Road Lighting				0	0	0.0	0.0	0.0
			Road Sign and Marking				0	0	0.0	0.0	0.0
			Total						0.0	0.0	0.0

				Unit	Quantity	Unit Price	Unit Price		Amount		Total Cost (M Peso)
							F/C (Peso)	L/C (Peso)	F/C (M Peso)	L/C (M Peso)	
A. Direct Cost	A-7	Off-road Facilities	Roadway Pavement	m2	4,889	2,000	1,300	700	6.4	3.4	9.8
			Footway Pavement	m2	1,543	1,500	675	825	1.0	1.3	2.3
			Landscape	m2	548	1,200	144	1,056	0.1	0.6	0.7
			Buildings (Kiosk, Office and Toilet, etc)	m2	275	12,000	5,400	6,600	1.5	1.8	3.3
			Lighting		4	35,000	17,500	17,500	0.1	0.1	0.1
			Other Facilities (15%)						0.0	0.0	0.0
			Total						9.0	7.2	16.2
	A-8	Terminals/Bus Stops (within ROW)	Platform	m2	2,441	1,500	825	675	2.0	1.6	3.7
			Shelter	l. m.	153	30,000	15,000	15,000	2.3	2.3	4.6
			Guardrail	l. m.	116	2,000	1,100	900	0.1	0.1	0.2
			Pedestrian Deck	l. m.	64	75,000	60,000	15,000	3.8	1.0	4.8
			Ticketing Machine/Gates	each	28	1,000,000	900,000	100,000	25.2	2.8	28.0
			Buildings (Office and Toilet, etc)	sq.m	50	12,000	6,600	5,400	0.3	0.3	0.6
			Total						33.8	8.1	41.9
	A-9	Bus Depot	Pavement	m2		1,000	600	400			
			Garage	m2		8,000	4,800	3,200			
			Workshop	m2		8,000	5,200	2,800			
			Office Building	m2		8,000	4,800	3,200			
			Gas (Petrol) Filling Facilities	each		10,000,000	8,000,000	2,000,000			
			Landscaping	m2		1,000	120	880			
			Other Facilities (15%)								
	Total										
	A-10	Miscellaneous of other Facilities									
A-11	Relocation of Existing Utilities										
Total of A											
B. Indirect Cost	B-1	Land Acquisition and Compensation	Land Acquisition								
			Commercial/Residential	m2	3,500	25,000					87.5
			Residential	m2	3,480	5,000					17.4
			Agriculture	m2	0	2,500					0.0
	Total								105		
	Compensation	Residential House	m2	0	15,000					0	
		Industrial Building	m2	0	35,000					0	
Squatters		m2	0	2,500					0		
Total								0			

Busway  
Section II

			Unit	Unit Cost	Quantity	Unit Price		Amount		Total Cost (M Peso)	
						F/C (Peso)	L/C (Peso)	F/C (M Peso)	L/C (M Peso)		
A. Direct Cost	A-1	Earth Work	Embankment			0	0	0.0	0.0	0.0	
			Total					0.0	0.0	0.0	
	A-2	Pavements	Busway (Asphalt)	m2	2,919	69,862	1897.4	1021.7	132.6	71.4	203.9
			Total					132.6	71.4	203.9	
	A-3	Drainage	Road Surface Drainage System				0	0	0.0	0.0	0.0
			Pipe Culvert ( 00mm)				0	0	0.0	0.0	0.0
			Box Culvert (2.0m x 2.0m)				0	0	0.0	0.0	0.0
			Total						0.0	0.0	0.0
	A-4	Structures	Bridge 1	m2	28,755	900	17828.1	10926.9	16.0	9.8	25.9
			Bridge 2	m2	27,755	800	17208.1	10546.9	13.8	8.4	22.2
			Bridge 3	m2	27,348	1,000	16955.76	10392.24	17.0	10.4	27.3
			Bridge 4	m2	28,869	900	17898.78	10970.22	16.1	9.9	26.0
			Total						62.9	38.5	101.4
	A-5	Cross Road Improvement	Pavement (Roadway)				0	0	0.0	0.0	0.0
			Pavement (Footway)				0	0	0.0	0.0	0.0
			Drainage System				0	0	0.0	0.0	0.0
			Road Sign and Marking				0	0	0.0	0.0	0.0
			Total						0.0	0.0	0.0
	A-6	Road Safety Facilities	Traffic Signal				0	0	0.0	0.0	0.0
			Road Lighting				0	0	0.0	0.0	0.0
			Road Sign and Marking				0	0	0.0	0.0	0.0
			Total						0.0	0.0	0.0

			Unit	Quantity	Unit Price	Unit Price		Amount		Total Cost (M Peso)	
						F/C (Peso)	L/C (Peso)	F/C (Peso)	L/C (Peso)		
A. Direct Cost	A-7	Off-road Facilities	Roadway Pavement	m2	4,589	2,000	1,300	700	6.0	3.2	9.2
			Footway Pavement	m2	1,217	1,500	675	825	0.8	1.0	1.8
			Landscape	m2	474	1,200	144	1,056	0.1	0.5	0.6
			Buildings (Kiosk, Office and Toilet, etc)	m2	150	12,000	5,400	6,600	0.8	1.0	1.8
			Lighting		4	35,000	17,500	17,500	0.1	0.1	0.1
			Other Facilities (15%)						0.0	0.0	0.0
			Total						7.7	5.8	13.5
	A-8	Terminals/Bus Stops (within ROW)	Platform	m2	2,615	1,500	825	675	2.2	1.8	3.9
			Shelter	l. m.	550	30,000	15,000	15,000	8.3	8.3	16.5
			Guardrail	l. m.	116	2,000	1,100	900	0.1	0.1	0.2
			Pedestrian Deck	l. m.	0	75,000	60,000	15,000	0.0	0.0	0.0
			Ticketing Machine/Gate		20	1,000,000	850,000	150,000	17.0	3.0	20.0
			Buildings (Office and Toilet, etc)		25	12,000	6,600	5,400	0.2	0.1	0.3
			Total						27.7	13.3	41.0
	A-9	Bus Depot	Pavement	m2	7,000	1,000	600	400	4.2	2.8	7.0
			Garage	m2	6,000	8,000	4,800	3,200	28.8	19.2	48.0
			Workshop	m2	600	8,000	5,200	2,800	3.1	1.7	4.8
			Office Building	m2	800	8,000	4,800	3,200	3.8	2.6	6.4
			Gas (Petrol) Filling Facilities		1	10,000,000	8,000,000	2,000,000	8.0	2.0	10.0
			Landscaping	m2	2,000	1,000	120	880	0.2	1.8	2.0
			Other Facilities (15%)						0.0	0.0	0.0
	Total						48.2	30.0	78.2		
	A-10	Miscellaneous of other Facilities									
A-11	Relocation of Existing Utilities										
Total of A											
B. Indirect Cost	B-1	Land Acquisition and Compensation	Land Acquisition	Commercial/Residential	m2	0	14,000				0
				Residential	m2	0	3,500				0
				Agriculture	m2	21,280	2,500				53.2
				Total							53.2
		Compensation	Residential House	m2	0	15,000				0	
			Industrial Building	m2	0	35,000				0	
			Squatters	m2	0	2,500				0	
Total								0			

Busway  
Section III

			Unit	Unit Cost	Quantity	Unit Price		Amount		Total Cost (Peso)	
						F/C (Peso)	L/C (Peso)	F/C (Peso)	L/C (Peso)		
A. Direct Cost	A-1	Earth Work	Embankment				0	0	0.0	0.0	0.0
			Total						0.0	0.0	0.0
	A-2	Pavements	Busway (Asphalt)	m2	2,919	108,943	1897.35	1021.65	206.7	111.3	318.0
			Total						206.7	111.3	318.0
	A-3	Drainage	Road Surface Drainage System				0	0	0.0	0.0	0.0
			Pipe Culvert ( 00mm)				0	0	0.0	0.0	0.0
			Box Culvert (00m x 00m)				0	0	0.0	0.0	0.0
			Total						0.0	0.0	0.0
	A-4	Structures	Flyover Structure	m2	19,618	8,320	12751.7	6866.3	106.1	57.1	163.2
			Bridge 5	m2	27,159	1,300	16838.58	10320.42	21.9	13.4	35.3
			Bridge6	m2	30,110	3,000	18668.2	11441.8	56.0	34.3	90.3
			Total						184.0	104.9	288.9
	A-5	Cross Road Improvement	Pavement (Roadway)				0	0	0.0	0.0	0.0
			Pavement (Footway)				0	0	0.0	0.0	0.0
			Drainage System				0	0	0.0	0.0	0.0
			Road Sign and Marking				0	0	0.0	0.0	0.0
			Total						0.0	0.0	0.0
	A-6	Road Safety Facilities	Traffic Signal				0	0	0.0	0.0	0.0
			Road Lighting				0	0	0.0	0.0	0.0
			Road Sign and Marking				0	0	0.0	0.0	0.0
			Total						0.0	0.0	0.0

Sec. III

			Unit	Quantity	Unit Price	Unit Price		Amount		Total Cost (M Peso)	
						F/C (Peso)	L/C (Peso)	F/C (M Peso)	L/C (M Peso)		
A. Direct Cost	A-7	Off-road Facilities	Roadway Pavement	m2	13,591	2,000	1,300	700	17.7	9.5	27.2
			Footway Pavement	m2	4,082	1,500	675	825	2.8	3.4	6.1
			Landscape	m2	1,547	1,200	144	1,056	0.2	1.6	1.9
			Buildings (Kiosk, Office and Toilet, etc)	m2	425	12,000	5,400	6,600	2.3	2.8	5.1
			Lighting		12	35,000	17,500	17,500	0.2	0.2	0.4
			Other Facilities (15%)						0.0	0.0	0.0
			Total						23.2	17.5	40.7
	A-8	Terminals/Bus Stops (within ROW)	Platform	m2	4,470	1,500	825	675	3.7	3.0	6.7
			Shelter	l. m.	880	30,000	15,000	15,000	13.2	13.2	26.4
			Guardrail	l. m.	172	2,000	1,100	900	0.2	0.2	0.3
			Pedestrian Deck	l. m.	201	75,000	60,000	15,000	12.1	3.0	15.1
			Ticketing Machine/Gate		30	1,000,000	850,000	150,000	25.5	4.5	30.0
			Buildings (Office and Toilet, etc)		50	12,000	6,600	5,400	0.3	0.3	0.6
			Total						55.0	24.2	79.1
	A-9	Bus Depot	Pavement	m2	4,500	1,000	600	400	2.7	1.8	4.5
			Garage	m2	4,500	8,000	4,800	3,200	21.6	14.4	36.0
			Workshop	m2	200	8,000	5,200	2,800	1.0	0.6	1.6
			Office Building	m2	400	8,000	4,800	3,200	1.9	1.3	3.2
			Gas (Petrol) Filling Facilities		1	10,000,000	8,000,000	2,000,000	8.0	2.0	10.0
			Landscaping	m2	1,000	1,500	180	1,320	0.2	1.3	1.5
	Total						35.4	21.4	56.8		
	A-10	Miscellaneous of other Facilities									
	A-11	Relocation of Existing Utilities									
Total of A											
B. Indirect Cost	B-1	Land Acquisition and Compensation	Land Acquisition								
			Commercial	m2	0	5,000					0.0
			Residential	m2	16,080	2,500					40.2
			Agriculture	m2	13,140	2,000					26.3
	Total								66.5		
	Compensation	Residential House	m2	0	15,000					0	
		Industrial Building	m2	0	35,000					0	
Squatters		m2	0	2,500					0		
Total								0			

113.6 63.0 176.6

Service Road  
Section I

A. Direct Cost				Unit	Unit Cost	Quantity	Unit Price		Amount		Total Cost (M Peso)
							F/C	L/C	F/C	L/C	
							(MPeso)	(M Peso)	(M Peso)	(M Peso)	
A-1	Earth Work	Embankment	m3	396	86,000	118.8	277.2	10.2	23.8	34.1	
		Total						10.2	23.8	34.1	
A-2	Pavements	Service Road (Asphalt)	m2	1,827	130,017	1,187.6	639.5	154.4	83.1	237.5	
		Bicycle	m2	1,525	27,372	838.8	686.3	23.0	18.8	41.7	
		Footpass	m2	1,503	27,372	676.4	826.7	18.5	22.6	41.1	
		Total						195.9	124.6	320.4	
A-3	Drainage	Road Surface Drainage System	km	12,610,000	6.026	5,674,500.0	6,935,500.0	34.2	41.8	76.0	
		Pipe Culvert ( 00mm)	m	6,066	700	2,729.7	3,336.3	1.9	2.3	4.2	
		Box Culvert (2.0m x 2.0m)	m	30,000	90	13,500.0	16,500.0	1.2	1.5	2.7	
		Total						37.3	45.6	82.9	
A-4	Structures	Flyover Structure				0.0	0.0	0.0	0.0	0.0	
		Over Bridge (Cross Road)				0.0	0.0	0.0	0.0	0.0	
		Total						0.0	0.0	0.0	
A-5	Cross Road Improvement	Pavement (Roadway)	m2	1,827	4,100	1,187.6	639.5	4.9	2.6	7.5	
		Pavement (Footway)	m2	1,503	2,400	676.4	826.7	1.6	2.0	3.6	
		Flyover Structure	m2	16,436	4,200	10,683.4	5,752.6	44.9	24.2	69.0	
		Drainage System	km			0.0	0.0	0.0	0.0	0.0	
		Road Sign and Marking				0.0	0.0	0.0	0.0	0.0	
Total							51.4	28.8	80.1		
A-6	Road Safety Facilities	Traffic Signal	nos	250,000	10	200,000.0	50,000.0	2.0	0.5	2.5	
		Road Lighting (Double Arm)	nos	35,000	690	17,500.0	17,500.0	12.1	12.1	24.2	
		Road Lighting (Single Arm)	nos	30,000	94	15,000.0	15,000.0	1.4	1.4	2.8	
		Road Sign and Marking	km	500,000	6.843	150,000.0	350,000.0	1.0	2.4	3.4	
		Total							16.5	16.4	32.9

Service Road  
Section II

A. Direct Cost				Unit	Unit Cost	Quantity	Unit Price		Amount		Total Cost (Peso)
							F/C	L/C	F/C	L/C	
							(Peso)	(Peso)	(Peso)	(Peso)	
A-1	Earth Work	Embankment	m3	396	307,804	118.8	277.2	36.6	85.3	121.9	
		Total						36.6	85.3	121.9	
A-2	Pavements	Service Road (Asphalt)	m2	1,827	102,106	1,187.6	639.5	121.3	65.3	186.5	
		Bicycle	m2	1,525	21,496	838.8	686.3	18.0	14.8	32.8	
		Footpass	m2	1,503	21,496	676.4	826.7	14.5	17.8	32.3	
		Total						153.8	97.8	251.6	
A-3	Drainage	Road Surface Drainage System	km	12,610,000	5.734	5,674,500.0	6,935,500.0	32.5	39.8	72.3	
		Pipe Culvert ( 00mm)	m	6,066	900	2,729.7	3,336.3	2.5	3.0	5.5	
		Box Culvert (00m x 00m)	m	30,000	281	13,500.0	16,500.0	3.8	4.6	8.4	
		Total						38.8	47.4	86.2	
A-4	Structures	Bridge 1	m2	26,497	2,520	16,428.1	10,068.9	41.4	25.4	66.8	
		Bridge2	m2	26,401	2,240	16,368.6	10,032.4	36.7	22.5	59.1	
		Bridge 3	m2	25,238	2,800	15,647.6	9,590.4	43.8	26.9	70.7	
		Bridge 4	m2	26,496	2,520	16,427.5	10,068.5	41.4	25.4	66.8	
		Total						163.3	100.1	263.3	
A-5	Cross Road Improvement	Pavement (Roadway)	m2	1,827	2,800	1,187.6	639.5	3.3	1.8	5.1	
		Pavement (Footway)	m2	1,503	1,200	676.4	826.7	0.8	1.0	1.8	
		Drainage System				0.0	0.0	0.0	0.0	0.0	
		Road Sign and Marking				0.0	0.0	0.0	0.0	0.0	
		Total							4.1	2.8	6.9
A-6	Road Safety Facilities	Traffic Signal	nos	250,000	10	200,000.0	50,000.0	2.0	0.5	2.5	
		Road Lighting (Do.)	nos	35,000	324	17,500.0	17,500.0	5.7	5.7	11.3	
		Road Lighting (single.)	nos	30,000		15,000.0	15,000.0	0.0	0.0	0.0	
		Road Sign and Marking	km	500,000	5.734	150,000.0	350,000.0	0.9	2.0	2.9	
		Total							8.5	8.2	16.7

Service Road  
Section III

A. Direct Cost				Unit	Unit Cost	Quantity	Unit Price		Amount		Total Cost (Peso)
							F/C (Peso)	L/C (Peso)	F/C (Peso)	L/C (Peso)	
A-1	Earth Work	Embankment	m3	396	308,826	118.8	277.2	36.7	85.6	122.3	
		Total						36.7	85.6	122.3	
A-2	Pavements	Service Road (Concrete)	m2			0.0	0.0	0.0	0.0	0.0	
		Service Road (Asphalt)	m2	1,827	101,460	1,187.6	639.5	120.5	64.9	185.4	
		Bicycle	m2	1,525	21,360	838.8	686.3	17.9	14.7	32.6	
		Footpass	m2	1,503	21,360	676.4	826.7	14.4	17.7	32.1	
		Total						152.9	97.2	250.0	
A-3	Drainage	Road Surface Drainage System	km		8.703	5,044,000.0	7,566,000.0	43.9	65.8	109.7	
		Pipe Culvert ( 800mm)	m	6,066	200	2,426.4	3,639.6	0.5	0.7	1.2	
		Box Culvert (2.0m x 2.0m)	m	30,000	95	12,000.0	18,000.0	1.1	1.7	2.9	
		Total						45.5	68.3	113.8	
A-4	Structures	Bridge5	m2	25,053	3,640	15,532.9	9,520.1	56.5	34.7	91.2	
		Total						56.5	34.7	205.0	
A-5	Cross Road Improvement	Pavement (Roadway)	m2	1,827	3,300	1,187.6	639.5	3.9	2.1	6.0	
		Pavement (Footway)	m2	1,503	1,200	676.4	826.7	0.8	1.0	1.8	
		Drainage System				0.0	0.0	0.0	0.0	0.0	
		Road Sign and Marking				0.0	0.0	0.0	0.0	0.0	
		Total						4.7	3.1	7.8	
A-6	Road Safety Facilities	Traffic Signal	nos	250,000	12	200,000.0	50,000.0	2.4	0.6	3.0	
		Road Lighting(Double)	nos	35,000	428	17,500.0	17,500.0	7.5	7.5	15.0	
		Road Lighting(Single)	nos	30,000	54	15,000.0	15,000.0	0.8	0.8	1.6	
		Road Sign and Marking	km	500,000	8.423	150,000.0	350,000.0	1.3	2.9	4.2	
		Total						12.0	11.8	23.8	

# *ANNEX G*

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DRAFT MOA FOR ROW ACQUISITION

## **ANNEX G : DRAFT MOA FOR ROW ACQUISITION**

### **MEMORANDUM OF AGREEMENT**

KNOW ALL MEN BY THESE PRESENTS:

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2002 at \_\_\_\_\_,  
Philippines by and among:

**THE REPUBLIC OF THE PHILIPPINES**, acting through the **DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS** (“*the DPWH*”), with principal offices at the DPWH Building, Bonifacio Drive, Port Area, Manila, represented herein by **HON. SIMEON DATUMANONG**, Secretary;

**THE PROVINCE OF CAVITE** (“*CAVITE PROVINCE*”), a local government unit established and existing under and by virtue of Philippine laws, with official address at the Provincial Capitol Building, Trece Martires City, Province of Cavite, represented herein and acting under delegated authority from the Sangguniang Panlalawigan of Cavite by **HON. AYONG MALIKSI**, Provincial Governor;

**THE MUNICIPALITY OF BACOR, CAVITE** (“*BACOR*”), a local government unit established and existing under and by virtue of Philippine laws, with official address at the Municipal Hall, Municipality of Bacor, Province of Cavite, represented herein and acting under delegated authority from the Sangguniang Bayan of Bacor by **HON. JESSIE B. CASTILLO**, Municipal Mayor;

**THE MUNICIPALITY OF IMUS, CAVITE** (“*IMUS*”), a local government unit likewise established and existing under and by virtue of Philippine laws, with official address at the Municipal Hall, Municipality of Imus, Province of Cavite, represented herein and acting under delegated authority from the Sangguniang Bayan of Imus by **HON. HOMER T. SAQUILAYAN**, Municipal Mayor;

**THE MUNICIPALITY OF DASMARIÑAS, CAVITE** (“*DASMARIÑAS*”), a local government unit established and existing under and by virtue of Philippine laws, with official address at the Municipal Hall, Municipality of Dasmariñas, Province of Cavite, represented herein and acting under delegated authority from the Sangguniang Bayan of Dasmariñas by **HON. ELPIDIO F. BARZAGA**, Municipal Mayor;

**CAVITE COUNCIL FOR ECONOMIC DEVELOPMENT BOARD (“CCED”)**, a non-government organization established and existing under and by virtue of Philippine laws, with offices at \_\_\_\_\_, represented herein under \_\_\_\_\_ duly-delegated \_\_\_\_\_ authority by \_\_\_\_\_;

**ONE ASIA DEVELOPMENT CORPORATION (“ONE ASIA”)**, a corporation established and existing under and by virtue of Philippine laws, with offices at \_\_\_\_\_, represented herein under validly-delegated authority by \_\_\_\_\_;

-and-

*WITNESSETH, THAT:*

WHEREAS, cognizant of the urgent need to decongest Aguinaldo Highway and provide a high-capacity road link between Cavite Province and Metro Manila, the DPWH, as the infrastructure agency of the government, has initiated the feasibility study of a new 22-kilometer free road system passing through the Municipalities of Bacoor, Imus and Dasmariñas in Cavite Province that would also serve as a bus way catering to the requirements of commuters in the area, tentatively called the “**CAVITE BUSWAY SYSTEM**” (“**CBS**”);

WHEREAS, in support of the CBS and the DPWH’s effort in realizing the completion of said project, the local government units involved as well as certain private companies have manifested their commitment to jointly assist the DPWH in fast-tracking the implementation thereof;

WHEREAS, there is particular need to immediately work on freezing the alignment of the CBS as well as in securing thereafter the right-of-way which will be needed for its implementation, overcoming the budgetary constraints for acquiring the project’s right-of-way;

NOW, THEREFORE, in view of the foregoing considerations and of the commitments hereinafter set out, the parties hereby bind themselves to one another under the following Understanding:

## **SECTION 1. DECLARATION OF UNDERSTANDING**

By these presents, the parties hereto uniformly declare as their Understanding that the proposed CBS is of high priority in addressing the commuting requirements within the Cavite-Southern Metro Manila corridor; that the CBS provides a less capital-intensive alternative to the



conventional elevated railway system, and would therefore satisfy the requirements of commuters in said corridor; that even as the burden of providing adequate infrastructure falls within the primary responsibility of the National Government, the local government units and the private sector can significantly assist in fast-tracking the completion of much-needed infrastructure by joining hands to assist the National Government in their individual capacities. To this end, the parties herein bind themselves into assisting each other out for purposes of fast-tracking the implementation of the CBS as well as for rationalizing the usage of its right-of-way consistently with the demands of CBS users.

## **SECTION 2. CREATION OF PROJECT BOARD**

- 2.1** In pursuance of this Understanding, the parties herein agree to set up a Project Board (“**PB**”) for the implementation of the CBS, consisting of Seven (7) members, namely: the Provincial Governor of Cavite, as Chairman; the Mayors of Bacoor, Imus and Dasmariñas Municipalities in Cavite Province; one (1) designated representative each from the CCED, One Asia and Solar, or such other private interests as the Governor of Cavite may deem expedient to include. Membership in the PB shall be *ex gratia* and subject to such rules and regulations as may be adopted by said body; provided, that each Board member will be entitled to one (1) vote; provided, further, that the PB shall define what matters it will decide collectively and what it will leave to the respective parties. Initially, the following shall require a collective Board action subject to prior consultation with the DPWH:
- Signatory to the “Options to Sell” to be issued to all landowners willing to sell or cede landholdings for the CBS project; and
  - Price of the land to be acquired, including terms and conditions, if any.
- 2.2** The principal functions of the PB shall be two-fold: (a) To coordinate with and assist, to the best of its ability and resources, the DPWH for purposes of expediting the implementation of the CBS project, particularly in respect of its securing of the right-of-way (“**ROW**”) needed by said project; and (b) To rationalize and maximize the land uses available to the CBS for purposes of enhancing their commercial potentials for their common benefit as well as that of the public they serve.
- 2.3** Nothing herein shall pre-empt the parties, other than the DPWH, from legitimately pursuing with their business objectives in some manner other than as stated herein.

## **SECTION 3. DPWH COMMITMENT**

- 3.1** As the primary infrastructure agency of the National Government, the DPWH commits to implement the CBS project as soon as the requisite approvals therefor, particularly in respect of its funding and environmental clearances, are obtained.

- 3.2** In the implementation of the CBS project, DPWH commits to closely coordinate its efforts, particularly in respect of securing the ROW, with the PB. To this end, the DPWH shall, whenever requested, provide PB or its representative/s with information relating to, among others:
- ROW alignment, with listing of priorities
  - ROW budgetary situation
  - Schedules for Construction and other deliverables
  - Status of works and details on slippages, if any
  - Status of discussions on project connectivities, such as with the LRT 1 Extension project
  - Such other data and information as may be reasonable requested by the PB
- 3.3** In the formulation of its annual budget, the DPWH shall make full and immediate provision for the budgeting of funds necessary for servicing ROW acquisitions for the CBS. Upon release of its ROW funds, the DPWH shall give priority to paying off voluntary offers managed or negotiated for it by the PB.
- 3.4** DPWH recognizes the primacy of the local government units (“**LGU**’s”) concerned in matters relating to squatter resettlement and demolition of shanties along the project ROW. Any action taken by the DPWH in respect hereof shall be closely coordinated beforehand with the PB and the LGU concerned.

#### **SECTION 4. LGU UNDERTAKINGS**

- 4.1** The LGU’s herein, namely, the Provincial Government of Cavite and the Municipal Governments of Bacoor, Imus and Dasmariñas, all in Cavite Province, hereby affirm their respective undertaking to render full support to the implementation of the CBS project for the benefit of their respective constituencies. The LGUs shall exert their best efforts to fund 50% of the cost of the ROW, either in the form of actual outlay, donations by land-owners, tax relief, and relocation and resettlement of affected occupants.
- 4.2** The Municipal LGU’s herein shall assist the DPWH in securing the ROW needed by the CBS project ahead even of the National Government’s allocation of the budgetary allotment for the ROW acquisition, as follows:
- On the basis of the Final ROW alignment as presented by the DPWH, they shall assist in identifying the lot owners involved within their respective territorial jurisdictions for purposes of convincing them into voluntarily acceding to part with their land holdings in favor of the project;
  - They shall also collate relevant and current data on zonal, assessment and fair market values pertaining to the land holdings affected by the ROW within their respective jurisdictions;

- They shall likewise inspect structures affected by the alignment and quantify their values on the basis of rules issued by the DPWH or some other recognized authority thereon;
- They shall take care of Identifying squatter colonies and determine where to resettle them, supervising their relocation from site;
- They shall moreover identify schemes for maximizing the ROW fund of the DPWH, such as through land swaps, re-parcellarization and subdivision of lots, and the like;
- They shall also examine the existence of liens and encumbrances burdening affected land holdings, including real estate tax arrearages thereon;
- They may furthermore prepare incentives in the municipal level to encourage the voluntarily cession, if not donation, of lots needed for the project, such as, if applicable:
  - Exemption thereof from municipal ordinances imposing taxes on the transfer of properties, Special Educational funds on real properties, ad valorem taxes on idle lands and the like;
  - Exemption from special levy on lands benefited by public works improvements; and
  - Condonation (in case of donation) or off-setting (in case of voluntary sale) of real estate tax arrearages on the affected lots.

**4.3** The provincial LGU herein shall supervise the municipal LGU's herein in order to attain the foregoing objectives, and shall furthermore coordinate all efforts within the province towards attaining the objectives of the CBS.

**4.4** The LGU's herein, whenever warranted, shall furthermore enact the appropriate zoning and classification ordinances with a view to forestalling any land development within the ROW alignment inconsistent with the CBS project and/or any development project envisioned by the PB in conjunction therewith.

**4.5** The LGU's herein shall moreover assure that all municipal licenses, authorizations, permits and approvals submitted in relation to the prosecution of the CBS project are promptly acted upon in order to prevent unnecessary delay in the implementation thereof.

## **SECTION 5. PARTICIPATION OF PRIVATE INTERESTS**

**5.1** The participation herein of private interests which are indispensable to the smooth implementation of the CBS project shall be encouraged, to the end that those who contribute to the success of the project are somehow repaid through priority in utilizing the potential commerce which may be generated from such project.

- 5.2** One Asia, as the private entity with the largest ROW to be affected by the CBS shall, aside from offering its lands enveloped by the CBS ROW, handle the necessary documentations, assist in ROW negotiation, make available their expertise and organizational resources in land consolidation, persuade small landowners to cooperate in the realization of the project, coordinate with and assist the LGU's concerned in fulfilling their undertakings hereunder, particularly for purposes of assuring the ROW for the project ahead of its implementation, and broker the proper development of bus terminals and/or stations.
- 5.3** The commercial development of bus terminals and stations will not be undertaken jointly by the parties hereunder, but shall be coordinated in such a way that the public requirements of passenger interchange and smooth traffic flow among different transport modes are achieved. One Asia shall promote the development of such facilities outside but contiguous to the CBS ROW, with the respective land-owners on each of the affected sites, separately or jointly or in combination. The concerned LGUs shall ensure that the land use for such sites or locations are compatible with the proposed developments and to the interest of the community.

## **SECTION 6. EXPENDITURES AND FUNDING**

- 6.1** The DPWH commits to secure funding for the acquisition of ROW and payment for the replacement cost of improvements/structures of the PAFs and other expenses incidental to the construction of the CBS. Likewise, the DPWH will coordinate with the concerned agencies in the relocation of utilities that may be affected by the construction.
- 6.2** The foregoing notwithstanding, and without prejudice to any funding arrangement thereon which the PB may subsequently institutionalize, the parties hereto shall bear their own costs in respect of their performance of their committed undertakings herein.
- 6.3** All funds generated, and all expenditures made, pursuant to and in connection with this Understanding shall be properly accounted for and audited as in the normal course of conducting business.

## **SECTION 7. DURATION AND TERMINATION**

- 7.1** This Understanding shall take effect upon the execution hereof by all parties concerned, and shall remain in full force and effect for as long as the objectives sought to be attained hereby have not been realized.
- 7.2** This Understanding shall *ipso facto* terminate when its objectives shall have been attained, or when, by decision of any party herein, its purposes can no longer be attained or should otherwise terminate, upon notification of such decision to all other parties hereto, without prejudice to an accounting of all funds. This Understanding shall otherwise terminate as may be provided for by law.

## **SECTION 8. DISPUTE SETTLEMENT**

- 8.1** As much as practicable, any dispute arising from this Understanding shall be settled amicably by the parties involved through conciliation.
- 8.2** In case the dispute cannot be settled amicably through conciliation, the parties hereto agree to submit their claims against each other exclusively to arbitration before the Secretary of Justice, or other such public official tasked with resolving issues affecting government entities. Costs of arbitration shall be borne by the contending parties in equal proportion.
- 8.3** The award of the arbitrator duly appointed in accordance with the foregoing sub-section shall be final and binding on all parties in dispute.

## **SECTION 9. MISCELLANEOUS PROVISIONS**

- 9.1** This Understanding shall be governed by and interpreted in accordance with the laws of the Republic of the Philippines.
- 9.2** The signatories to this Understanding represent unto each other that all approvals required for giving full force and effect hereto have been secured prior to the execution hereof, and that they are empowered to execute this document in behalf of the entities which they represent herein.
- 9.3** The declaration of any portion of this Understanding as void, invalid or otherwise unenforceable shall not invalidate the remaining provisions hereof, and the parties shall promptly amend this Understanding and/or execute such additional document/s as may be necessary and/or appropriate to give legal effect to the void, invalid or otherwise unenforceable provision in such a manner that, when taken with the remaining provisions, will achieve the intended purpose of the void, invalid or otherwise unenforceable provision/s.
- 9.4** Any notice, request, report, approval, consent, or other communication required or permitted to be given or made herein shall be in writing and delivered to each party hereto at its address stated above, unless meanwhile changed and written communication in that regard is sent to all parties concerned.
- 9.5** The failure of any party to enforce any provision herein shall not be construed as a waiver of its right to enforce such provision or any other provision herein, or as a waiver of any continuing, succeeding or subsequent breach of any such provision or other provision hereof.
- 9.6** Any and all costs incurred by each party hereto in relation to and/or by reason of the preparation and closing of this Understanding, including without limitation stamp duties, shall be borne exclusively by the Party incurring such expense.

IN WITNESS WHEREOF, the parties hereto have set their hands on the date and at the place first above-written.

**DEPARTMENT OF PUBLIC WORKS  
AND HIGHWAYS**

By:

**HON. SIMEON DATUMANONG**  
Secretary

**PROVINCE OF CAVITE**

By:

**HON. AYONG MALIKSI**  
Governor

**MUNICIPALITY OF BACoor, CAVITE**

By:

**HON. JESSIE B. CASTILLO**  
Mayor

**MUNICIPALITY OF IMUS, CAVITE**

By:

**HON. HOMER T. SAQUILAYAN**  
Mayor

**MUNICIPALITY OF DASMARIÑAS,  
CAVITE**

By:

**HON. ELPIDIO F. BARZAGA, JR.**  
Mayor

**CAVITE COUNCIL FOR  
ECONOMIC DEVELOPMENT**

By:

\_\_\_\_\_

**ONE ASIA DEVELOPMENT CORPORATION**

By:

\_\_\_\_\_

SIGNED IN THE PRESENCE OF:

\_\_\_\_\_

\_\_\_\_\_



# *ANNEX H*

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RESETTLEMENT POLICY



## **ANNEX H : RESETTLEMENT POLICY**

### **1 INTRODUCTION**

#### **1.1 Background and Rationale**

In the implementation of the Cavite Busway System Project, there are three issues that need to be addressed, as follows:

- (1) Land acquisition for the Right-of-Way;
- (2) Land acquisition for the Resettlement of affected families; and
- (3) Compensation and resettlement procedures of project affected persons.

This document presents the policy guidelines and the strategy to address the land acquisition, resettlement and rehabilitation (LARR) of the CBS Project. The LARR policy is characterized by the following elements:

- (1) Participative planning. The Policy Framework and the Resettlement Action Plan (RAP) has been developed by the working group composed of representatives from government agencies, i.e. National Economic Development Authority (NEDA), Department of Public Works and Highways (DPWH-Region), Environmental Impact Assessment Project Office (EIAPO), and the JICA Study Team. It incorporates extensive discussions on resettlement issues and concerns raised by affected families during the initial project preparatory stages. Further consultation and validation of the RAP with the PAPs and stakeholders will be done through a workshop before project implementation.
- (2) Review of policies and guidelines on land acquisition and resettlement was done to ensure that the LARR responds to the policies of the GOP, JBIC and ODAs requirement.
- (3) It takes into account the needs of the affected persons. This was facilitated through various participatory approaches such as key informant's interviews, focus group discussions and structured socio-economic survey.
- (4) It draws lessons from past government's resettlement and land acquisition schemes.
- (5) Information provided is desegregated by gender and takes into account the needs of the most vulnerable (especially women).

## **2 BACKGROUND**

### **2.1 Overview and Objectives of the CBS Project**

Cavite is one of the most rapidly growing areas around Metro Manila. Its population was 2.1 million in 2000 and is predicted to increase to 4.1 million by 2015. This population growth, coupled with industrial and commercial development, has brought about a serious traffic condition in the area.

The social and environmental assessment revealed high beneficial impact of the CBS project on the environment as well as on direct and indirect beneficiaries. Overall, the CBS Project will reduce traffic congestion, improve transportation facilities and provide access to basic services, and will contribute to the improvement on the socioeconomic status of Cavite in general and Bacoor, Imus and Dasmariñas in particular.

### **2.2 DPWH's Thrusts and Objectives**

The Department of Public Works and Highways is responsible for the national road network, while the rest of the road network (provincial, barangay and municipal roads) is managed by the respective local government units. (LGUs). The government of the Philippines is presently embarking on a major institutional reform for DPWH under the Medium Term Development Program (1999-2004). These include strengthening of the institutional capabilities of various departments and sustainable management of financial resources and programs. DPWH's commitment is to ensure that in the implementation of infrastructure projects, it takes into account the following social considerations:

- (1) Involuntary resettlement
- (2) Public consultation and participation
- (3) Protection of marginalized and vulnerable groups

## **3 DEFINITION OF TERMS**

The following are the definition of terms used in the policy framework:

- (1) **Compensation** means payment in cash or in kind for an asset to be acquired or affected by an infrastructure project at replacement cost as provided in the compensation matrix.
- (2) **Cut-off Date** is the date of completion of the census of affected persons within the project area boundaries. Persons not covered in the census are not eligible for claims for compensation.

- (3) **Disturbance Compensation** is the compensation amount paid to leases of agricultural land severely (i.e., >20% of the land or when the land is no longer economically viable) affected by the project equivalent to 5 times the average gross harvest during the last 5 years (RA 6389 and EO 1035, series of 1985).
- (4) **Financial Assistance** is the cash amount paid to agricultural tenants/settlers/occupants severely affected by the project equivalent to the average gross harvest for the last 3 years and not less than ₱15,000 per ha (EO 1035), aside from the cash payment/compensation of their crops actually damaged by the project. It may also be given to owners of the land acquired under CA 141 for the area of portion subject to section 112 thereof.
- (5) **Inconvenience Allowance** is the amount given to each PAPs who holds full title, tax declaration or some proof of traditional ownership (such as usufruct when the PAP belongs to an indigenous community), to the land where his/her severely affected house stands and who has to shift elsewhere.
- (6) **Land Acquisition** means the process whereby a person is compelled by the GOP to alienate all or part of the land he/she owns or possesses, to the ownership and possession of the government, for public purpose in return for a consideration.
- (7) **Professional Squatters** (as defined by Republic Act 7279) applies to persons who have previously been awarded homelots or housing units by the government but who sold, leased or transferred the same to settle illegally in the same place or in another urban area, and non bone fide occupants and intruders of lands reserved for socialized housing. The term also refers to individuals or groups who occupy lands without the expressed consent of the landowner and who have sufficient income for legitimate housing. This definition excludes individuals or groups who simply rent land and housing from professional squatters or squatting syndicates.
- (8) **Project Affected Family** (PAF) consists of all members of a household residing under one roof and operating as a single economic unit, who are adversely affected by the project. For resettlement purposes, Project Affected Persons (PAPs) will be dealt with as members of Project Affected Families (PAFs).
- (9) **Project Affected Person** (PAP) includes any person or persons, household, a firm, or a private or public institution who, on account of the execution of the project, would have their right, title or interest in all or any part of a house, land (e.g., residential, agricultural, and pasture), annual or perennial crops and trees, or any other fixed or moveable asset acquired or possessed, in full or in part, permanently or temporarily.

- (10) **Relocation** means the physical shifting of a PAP from his/her pre-project place of residence.
- (11) **Replacement Cost** as determined by an independent appraiser hired by the project or by a court of law as compensation for:
- i. Agricultural or residential land;
  - ii. Houses and other related structures based on current market prices of materials and labor if the same were to be re-constructed with no deductions for salvaged building materials;
  - iii. Crops based on current market value; and
  - iv. Trees and other perennials based on DENR or those of the independent consultant's."

(12) **Resettlement** means all measures taken to mitigate any and all adverse social impacts of a project on the PAPs, including compensation and relocation as needed.

(13) **Risk** – a possible or potential damaging effect on a course of action.

(14) **Social Assessment** is a framework for incorporating social analysis and participatory process in project design and implementation.

(15) **Squatting Syndicates** (as defined by RA 7279) refers to groups of persons who are engaged in the business of squatter housing for profit or gain.

## **4 OBJECTIVES, POLICIES AND REGULATIONS**

Everywhere, the core content of unmitigated forced displacement is economic and social uprooting, thus in order to avoid such, the Resettlement Policy is established to achieve the following:

- (1) Adverse social impact of road projects are avoided, minimized, and or mitigated
- (2) PAPs are provided with sufficient compensation and assistance for lost assets which will assist them to improve or at least maintain their pre-Project standards of living, and
- (3) Everybody will benefit from the project.

### **4.1 National and Local laws**

The overall objective of the Resettlement Policy is derived from the Bill of Rights of the Constitution of the Republic of Philippines:

Article III, Section 1: No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.

Article II, Section 9: Private property shall not be taken for public use without just compensation.

Laws and regulations of the GOP, provincial and local government directives shall determine the policies for land acquisition and regulations and entitlements for the resettlement plan. The Implementing Rules and Regulations mandated by the 1992 Urban Housing and Development Act will govern the resettlement procedures, and RA 8974 will govern the land acquisition and compensation.

Republic Act 7279 also known as the “Urban Development and Housing Act (UDHA) of 1992, provides urban land reform and housing policy for the urban poor. UDHA also enjoins local government to engage in land use planning and in the process allocate enough land for the actual number of homeless and under privileged people within their boundaries. UDHA heralds in a policy advocating that eviction and demolition must be carried in a just and human manner.

Specifically UDHA aims to:

- Prohibit construction of illegal squatters on danger areas
- Provide decent shelter to the underprivileged and homeless citizens in urban areas
- Equitable land tenure that shall guarantee security of tenure, ensure payment of just compensation
- Encourage people’s participation in urban development process
- Develop capacity of LGUs in undertaking urban housing programs
- Amended by RA 8368 (1997) which provides that squatter houses built before 1983 are entitled to relocation assistance prior to their displacement

RA 8974 will govern the project pertaining to Right-Of-Way Acquisition. This policy establishes:

- Negotiated sale between the DPWH and the CBS Trust/PAPs based on the following standards to determine the fair market value:
  - (i) The classification and use for which the property is suited
  - (ii) The development costs for improving the land
  - (iii) The value declared by the owner
  - (iv) The current selling price of similar lands in the vicinity

- (v) The reasonable disturbance compensation for the removal and/or demolition of certain improvements on the land and for the value for improvement thereon.
  - (vi) The size and shape or location, tax declaration and zonal valuation of the land
  - (vii) The price of the land as manifested in the ocular findings, oral as well as documentary evidence presented, and,
  - (viii) Such facts and events as to enable the affected property owners to have sufficient funds to acquire similarly – situated lands of approximate areas as those required from them by the government, and thereby facilitate themselves as early as possible.
- In case of expropriation, DPWH shall immediately pay the owner: (a) 100% of the value of the property based on the BIR zonal valuation

Other relevant policies applicable to the CBS Project are:

**(1) PD 170, Revised Highway Act**

It is illegal to use, occupy and convert any portion of the ROW.

**(2) EO 1035, providing for the conduct of:**

- Feasibility study
- Public information campaign
- Parcellary survey
- Assets inventory

Other features of the Executive Order are:

- Land acquisition based on fair market value to be negotiated between the owner and the appraisal committee.
- Resettlement/relocation of tenants, farmers and other occupants.
- Financial assistance to displaced tenants, cultural minorities and settlers equivalent to the average annual gross harvest for the last 3 years and not less than PhP15,000 per ha.
- Disturbance compensation to agricultural lessees equivalent to 5 times the average gross harvest during the last 5 years.
- Compensation for improvements on land acquired under Commonwealth Act 141.
- Government has power to expropriate in case agreement is not reached.

(3) **MO 65**, Series of 1983

Lists various modes for the acquisition and payment of compensation for ROW, such as:

- Easement of ROW where the owner is paid the land value to use the land but the owner still retains ownership over the same.
- Quit claim where the Government has the right to acquire 20/60 m of the land acquired through CA 141. Only improvements will be compensated.
- Expropriation if other options fail. The government agency concerned has the right to take immediate possession, control and disposition of the property.

(4) **Supreme Court Ruling** (1987)

Defines just compensation as fair and full equivalent for the loss sustained, taking into account improvements, location, capabilities, etc.

The value given by the appraisal committee can only serve as a guide for negotiation.

(5) **RA 6026/PD 1081**

Provides options and assistance to squatters

(6) **1987 Philippine Constitution and RA 7192**

Mainstreaming gender concerns in development projects

(7) **Art. 111 Section 10, 1987 Philippine Constitution**

Encouraging community participation in development initiatives

## **4.2 DPWH LARR Policy**

DPWH has an existing policy called the Land Acquisition, Resettlement and Rehabilitation (LARR) that applies to land acquisition and resettlement. Included in this policy are regulatory framework within which the policy has to operate, legal basis, compensation plan, operational procedures and provisions for internal and external monitoring. The CBS Project will also make reference to this policy in the land acquisition and resettlement planning.

The regulations of the LARR that are applicable to the CBS project are:

- (1) Adverse social impact of road projects are avoided, minimized and/or mitigated.

- (2) PAP's are provided with sufficient compensation and assistance for lost assets to restore or improve living condition of PAPs.
- (3) Nobody is to be disadvantaged of the project
- (4) Project stakeholders including PAPs are consulted in all phases of the project.

Specific guidelines and principles embodied in the LARR policy are contained below.

- (1) Acquisition of land and other assets and shifting of people will be avoided or minimized as much as possible.
- (2) Only those PAPs found to be residing in, doing business, or cultivating land, or having rights over resources within the project area as of the date of the census surveys (i.e., cut-off date) are eligible for compensation for lost assets
- (3) In following with the objective of the resettlement policy that displaced persons will be assisted in their efforts to improve their livelihood and standards of living, or at least to restore them to the pre-project level, compensation, as provided for by law, (RA 8974) will be provided to affected landowners (i.e., for residential, commercial or agricultural land) to enable these PAPs to have land replaced to that level. The market value would be determined by an accredited or licensed independent appraiser who works in accordance with internationally recognized standards. Proof of ownership over a piece of land may be established through possession of a title or tax declaration, or customary law (e.g., usufruct, possessory rights) or other acceptable proof of ownership.
  - (i) PAPs will be provided with options to suit their preferences on compensation.
  - (ii) The Project will compensate for lost infrastructure according to the original size or at replacement cost, with no deduction of usable salvaged materials or facilities. The Project will pay for cost of dismantling and transporting of facilities which are non-functional and do not require replacement.
  - (iii) The Project will compensate for commercial structures, household workshops and subsidiary production facilities. This covers cost of dismantling, transportation, installation, trial test run, plus cost of reasonable damages for moveable assets. The original size, standard and cost of recovering the original function determines the compensation for immoveable assets.
- (4) In the event that the PAP rejects the compensation package (i.e., computed value at replacement cost) offered by DPWH, the Department will initiate expropriation proceedings, using the procedures spelled out by RA 8974.



Moreover, the whole amount being offered by DPWH as compensation will be deposited in an escrow to allow the Department to proceed with the works. The PAP will receive the amount that the court will decide as replacement cost for his/her affected property.

- (5) If the PAP rejects the amount being offered by DPWH as compensation for other affected fixed assets (e.g., main structures and/or miscellaneous structures, plants and trees of commercial value) and the case is referred to a court of law, the Department will deposit in an escrow 100% of the said amount to allow DPWH to proceed with the works. The amount of compensation that the court will decide on will be paid to the PAP within one (1) month following receipt of the decision of the court.
- (6) PAPs losing all of their fixed assets (e.g., farmland, house), or incurring partial loss where the remaining assets are determined by competent authorities as not viable anymore for continued use, will be entitled to full compensation for the entire affected assets at replacement cost. The DPWH will assume ownership of the said affected assets upon payment of full compensation therefor.
- (7) In the case of PAPs affected by partial impact on their assets, i.e. partial loss of land or structures, and where the remaining assets are viable for continued use, compensation for the affected assets will be paid in cash.
- (8) PAPs who at the time of the survey, are on the ROW and who are not “professional squatters” will be compensated for affected structures but not for land.
- (9) If not otherwise stated, the modes of compensation are as follows: (i) compensation equivalent to the amount of materials and labor to re-construct a similar structure for houses and other fixed structures with NO deductions for salvaged materials; (ii) compensation at replacement cost for the loss of other fixed assets; (iii) compensation for the affected land in the form of land of equivalent productive value at a location acceptable to the PAP, or if land is not available, cash representing the market value of the land; and (iv) disturbance compensation to lessees of agricultural land affected by the project equivalent to 5 times the average gross harvest during the last 5 years (RA 6389 and EO 1035, series of 1985).
- (10) DPWH will provide the following entitlements to eligible PAPs:
  - (i) Granting of financial assistance (also referred to as subsistence allowance) of ₱15,000 each to PAPs whose agricultural land, which are covered by a full title, tax declaration or some proof of traditional ownership (such as usufruct when the PAPs belong to an

indigenous community), will be severely (i.e., total asset lost) affected.

- (ii) Granting of financial assistance of ₱15,000 each to PAPs doing business on severely affected main structures (e.g., store, shop, warehouse, and similar structures) which are constructed on lands that are covered by titles, tax declaration with full title, tax declaration or some proof of traditional ownership (such as usufruct when the PAPs belong to an indigenous community).
- (iii) Granting of inconvenience allowance of ₱10,000 each to PAPs who hold full title, tax declaration or some proof of traditional ownership (such as usufruct when the PAP belongs to an indigenous community), to the land where their severely affected houses stand and who have to shift elsewhere.
- (iv) Granting of rehabilitation assistance in the form of special skills training or other development activities to PAPs whose only source of income are severely impacted and may have to engage in some other income-earning activities. This rehabilitation assistance may also be granted to vulnerable groups, like indigenous peoples, women, elderly, etc. DPWH will coordinate closely with concerned government agencies that have the mandate and the expertise to undertake rehabilitation assistance, such as the conduct of skills training.
- (v) Financial assistance to agricultural tenants, settlers/occupants, and cultural minorities displaced from their agricultural land (i.e., severely affected) equivalent to the average annual gross harvest for the last 3 years but not less than ₱15,000 per ha (EO 1035), aside from the cash payment/compensation of their crops actually damaged by the project. It may also be given to owners of the land acquired under CA 141 for the area of portion subject to section 112 thereof.
- (vi) Provision of transportation to PAPs who are relocating, including shanty dwellers in urban areas who opt to go back to their place of origin (e.g., province) or to shift to government relocation sites.
- (vii) Granting of transitional allowance to house tenants of affected main structures who will have to find a new place on account of the project equivalent to one month rent of a similar structure within the same area;

- (viii) Replacement of residential and agricultural lands will be as close as possible to the land that was lost and/or acceptable to the PAPs. All replacement land for residence, commerce and agriculture will be provided with secured tenure status.
- (ix) Where relocation is considered necessary, the lot owner of the proposed relocation site will also be entitled to compensation for his/her land. The receiving LGU (i.e., the LGU under whose political jurisdiction the relocation site is located) may apply for assistance with DPWH for the provision of basic services, such as streetlights and improved access road, for the community where the relocation site is to be constructed.
- (x) Plans for acquisition of land and other assets will be carried out in consultation with the PAPs who will receive prior information of the compensation options available to them.
- (xi) Any acquisition of, or restriction on access to resources owned or managed by PAPs as a common property will be mitigated by arrangements ensuring access of those PAPs to equivalent resources on a continuing basis.
- (xii) Resettlement programs will include adequate institutional arrangements to ensure effective and timely design, planning, consultation and implementation of compensation and resettlement. DPWH will ensure effective coordination with relevant agencies for the implementation of the resettlement plan.
- (xiii) Priority assistance will be provided to vulnerable families especially female-headed households. DPWH and the RIC will ensure that they will be assisted in the demolition and/or transfer to the resettlement sites.
- (xiv) The Project will ensure that students will immediately be enrolled in the nearest school and that they should be given priority admission.
- (xv) Adequate arrangements will be made for effective and timely supervision, internal and external monitoring of the implementation of the RAP.
- (xvi) The resettlement transition period will be minimized and the acquisition of assets needed for the project (by way of a Writ of Possession in the event of expropriation proceedings), as well as all

resettlement activities including compensation, will be completed at least one month prior to the initiation of construction work.

## 5 COMPENSATION MATRIX

The Compensation matrix establishes in detail the benefits and entitlements of the PAPs.

**Table H-1 Compensation Matrix**

	Type of Loss	Application	Entitled Person	Compensation
1	Arable land	Actual area needed by the road project and the remaining land is still economically viable	Owners with full title, tax declaration or who are covered by customary law (e.g., possessory rights, usufruct) or other acceptable proof of ownership	For the portion of the land needed: <ul style="list-style-type: none"> <li>• Cash compensation at replacement cost based on the appraisal by an independent appraiser</li> <li>• Cash compensation for perennials of commercial value as determined by the DENR or the concerned appraisal committee</li> <li>• PAPs will be given sufficient time to harvest crops on the subject land</li> </ul>
			PAPs without title, tax declaration, or are not covered by customary law (e.g., possessory rights, usufruct) or other acceptable proof of ownership	For the portion of the land needed: <ul style="list-style-type: none"> <li>• PAPs will be given sufficient time to harvest crops</li> <li>• Cash compensation for perennials of commercial value as determined by the DENR or the concerned appraisal committee</li> <li>• Financial assistance to make up for land preparation in the amount of ₱150 per square meter</li> </ul>
		Remaining land becomes economically not viable (i.e., PAP losing >20% of land holding or even when losing <20% but the remaining land is not economically viable anymore)	Owners with full title, tax declaration or who are covered by customary law (e.g., possessory rights, usufruct) or other acceptable proof of ownership	<ul style="list-style-type: none"> <li>• Cash compensation (100%) or, if feasible, 'land for land' will be provided in terms of a new parcel of land of equivalent productivity, at a location acceptable to PAP, and with long-term security of tenure.</li> <li>• PAP will be given sufficient time to harvest crops</li> <li>• Cash compensation for perennials of commercial value as determined by the DENR or the concerned appraisal committee</li> <li>• If relocating, PAP to be provided free transportation</li> </ul>

	Type of Loss	Application	Entitled Person	Compensation
				<ul style="list-style-type: none"> <li>Rehabilitation assistance (skills training and other development activities) equivalent to ₱15,000 will be provided in coordination with other government agencies if the present means of livelihood is no longer viable and the PAP will have to engage in a new income activity</li> <li>PAPs will be given sufficient time to harvest crops</li> <li>Cash compensation for perennials of commercial value as determined by the DENR or the concerned appraisal committee</li> <li>Financial assistance to make up for land preparation in the amount of ₱150 per square meter</li> <li>If relocating, PAP to be provided free transportation</li> </ul>
			PAPs without title, tax declaration, or are not covered by customary law (e.g., possessory rights, usufruct) or other acceptable proof of ownership	<ul style="list-style-type: none"> <li>Rehabilitation assistance (skills training and other development activities) equivalent to ₱15,000 will be provided in coordination with other government agencies if the present means of livelihood is no longer viable and the PAP will have to engage in a new income activity</li> </ul>
			Agricultural lessees	<p>As per RA 6389 and EO 1035:</p> <ul style="list-style-type: none"> <li>Disturbance compensation equivalent to five times the average of the gross harvest on the land holding during the five preceding years but not less than ₱15,000.</li> <li>Rehabilitation assistance (skills training and other development activities) equivalent to ₱15,000 will be provided in coordination with other government agencies if the present means of livelihood is no longer viable and the PAP will have to engage in a new income activity</li> </ul>
		Temporary use of land	All PAPs	<ul style="list-style-type: none"> <li>Compensation to be provided for loss of income during the period, standing crops, cost of soil restoration and damaged structures</li> </ul>
2	Residential land and/or Commercial land	Actual area needed by the road project and the remaining land is still viable for continued use	Owners with full title, tax declaration or who are covered by customary law (e.g., possessory rights, usufruct) or other acceptable proof of ownership	<p>For the portion of the land needed:</p> <ul style="list-style-type: none"> <li>Cash compensation at replacement cost equivalent to the appraised value as determined by an independent appraiser.</li> <li>Cash compensation for perennials of commercial value as determined by the DENR or the concerned appraisal committee</li> </ul>

	Type of Loss	Application	Entitled Person	Compensation
		Remaining residential or commercial land becomes not viable for continued use.	Owners with full title, tax declaration or who are covered by customary law (e.g., possessory rights, usufruct) or other acceptable proof of ownership	<ul style="list-style-type: none"> <li>• Cash compensation at replacement cost equivalent to the appraised value as determined by an independent appraiser or, if feasible, land for land' will be provided in terms of a new parcel of land of equivalent to market value, at a location acceptable to PAP, and with long-term security of tenure. The replacement land should be of acceptable size under zoning laws or a plot of equivalent value; whichever is larger, in a nearby resettlement area with adequate physical and social infrastructure. When the affected holding is larger in value than the relocation plot, cash compensation will cover the difference in value.</li> <li>• Cash compensation for perennials of commercial value as determined by the DENR or the concerned appraisal committee</li> <li>• If relocating, PAPs to be provided free transportation</li> </ul>
		Temporary use of land	All PAPs	<ul style="list-style-type: none"> <li>• Compensation to be provided for loss of income during the period, standing crops, cost of soil restoration and damaged structures</li> </ul>
3	Main Structures (e.g., house, house cum shop)	Structure, with or without a building permit, partially affected and the remaining structure is still viable for continued use.	Owners of structure with full title or tax declaration to the land or those who are covered by customary law (e.g., possessory rights, usufruct) or other acceptable proof of ownership	<ul style="list-style-type: none"> <li>• Cash compensation at replacement cost for affected portion of the structure, including the cost of restoring the remaining structure, as determined by the concerned appraisal committee with no deduction for salvaged building materials.</li> <li>• PAPs who have business affected due to partial impact on the structure are entitled to a subsistence allowance for the loss of income during the reconstruction period. (Such will be verified and computed by the Municipal Resettlement Implementing Committee or RIC).</li> </ul>

	Type of Loss	Application	Entitled Person	Compensation
			<p>Owners of structures, including shanty dwellers in urban areas, have no title or tax declaration to the land or other acceptable proof of ownership</p>	<ul style="list-style-type: none"> <li>• Cash compensation at replacement cost for the affected portion of the structure, including the cost of restoring the remaining structure, as determined by the concerned appraisal committee with no deduction for salvaged building materials.</li> <li>• Shanty dwellers in urban areas who opt to go back to their place of origin in the province or be shifted to government relocation sites will be provided free transportation</li> <li>• PAPs who have business affected due to partial impact on the structure are entitled to a subsistence allowance for the loss of income during the reconstruction period. (Such will be verified and computed by the municipal Resettlement Implementing Committee or RIC).</li> <li>• Informal dwellers who opt to be relocated at the government's resettlement site will not receive any cash compensation for the structure. A transportation assistance will be provided to assist them in transporting the salvaged materials.</li> </ul>
		<p>Entire structure affected OR when the remaining structure becomes not viable for continued use, with or without a building permit</p>	<p>Renters (tenants) of leased affected structures, including renters of shanty dwellings in urban areas</p> <p>Owners of structures with full title or tax declaration to the land or those who are covered by customary law (e.g., possessory rights, usufruct) or other acceptable proof of ownership</p>	<ul style="list-style-type: none"> <li>• Given 3 month notice on the schedule of demolition</li> <li>• If shifting is required, PAP is given transitional allowance equivalent to one month rent of a similar structure within the same area</li> <li>• For house tenants renting structures outside of, or within the ROW, and who have to transfer elsewhere, free transportation will be provided</li> <li>• Renting shanty dwellers in urban areas who opt to go back to their place of origin in the province or be shifted to government relocation sites will be provided free transportation, plus food allowance during travel period.</li> <li>• Compensation in cash for the entire structure at replacement cost as determined by the concerned appraisal committee without deduction for salvaged building materials.</li> <li>• Inconvenience allowance of ₱10,000 per Household.</li> <li>• PAPs who have business affected due to the severe impact on the structure are entitled to a subsistence allowance for the loss of income during the reconstruction period. (Such will be verified and computed by the RIC).</li> </ul>

Type of Loss	Application	Entitled Person	Compensation
			<ul style="list-style-type: none"> <li>• If relocation is necessary, free transportation will be provided</li> <li>• Rehabilitation assistance in the form of skills training and other development activities and equivalent to PhP15,000 will be provided in coordination with other government agencies if the present means of livelihood (e.g., house cum shop) is no longer viable and the PAP will have to engage in a new income activity</li> </ul>
		<p>Owners of structures, including shanty dwellers in urban areas, have no title or tax declaration to the land or other acceptable proof of ownership</p>	<ul style="list-style-type: none"> <li>• Compensation in cash for the entire structure at replacement cost as determined by the concerned appraisal committee without deduction for salvaged building materials.</li> <li>• Shanty dwellers in urban areas who opt to go back to their place of origin in the province or be shifted to government relocation sites will be provided free transportation</li> <li>• PAPs who have business affected due to the severe impact on the structure are entitled to a subsistence allowance for the loss of income during the reconstruction period. (Such will be verified and computed by the RIC).</li> <li>• If relocation is necessary, free transportation will be provided and food allowance for one 1) week during reconstruction of homes.</li> <li>• Rehabilitation assistance in the form of skills training and other development activities and equivalent to PhP15,000 will be provided in coordination with other government agencies if the present means of livelihood (e.g., house cum shop) is no longer viable and the PAP will have to engage in a new income activity</li> </ul>
		<p>Renters (tenants) of leased affected structures, including renters of shanty dwellings in urban areas</p>	<ul style="list-style-type: none"> <li>• Given 3 month notice on the schedule of demolition</li> <li>• PAF is given transitional allowance equivalent to one month rent of a similar structure within the same area</li> <li>• For house tenants renting structures outside of, or within the ROW, and who have to transfer elsewhere, free transportation will be provided</li> <li>• Renting shanty dwellers in urban areas who opt to go back to their place of origin in the province or be shifted to government relocation sites will be provided free transportation plus food allowance during travel period</li> </ul>



	Type of Loss	Application	Entitled Person	Compensation
				<ul style="list-style-type: none"> <li>Rehabilitation assistance in the form of skills training and other development activities and equivalent to ₱15,000 will be provided in coordination with other government agencies if the present means of livelihood (e.g., house cum shop) is no longer viable and the PAP will have to engage in a new income activity.</li> <li>If renters choose to relocate in government resettlement sites, a rent scheme will be offered accordingly to the prevailing rent for socialized housing.</li> </ul>
4	Independent shops (structures)	Shops, with or without building permit, partially affected and the remaining structures are still viable for continued use.	Owners of structure with or without full title or tax declaration to the land or those who are covered by customary law (e.g., possessory rights, usufruct) or other acceptable proof of ownership	<ul style="list-style-type: none"> <li>Compensation in cash at replacement cost for affected portion of the structure, including the cost of restoring the remaining structure, as determined by the concerned appraisal committee with no deduction for salvaged building materials.</li> <li>As determined by the RIC, PAPs will be entitled to transitional allowance to cover for their computed income loss during the demolition and reconstruction of their shops, but not to exceed a one-month period.</li> </ul>
			Renters (tenants) of affected shops	<ul style="list-style-type: none"> <li>As determined by the RIC, shop renters will be entitled to a transitional allowance to cover for their computed income loss during the period that their business is interrupted</li> </ul>
		Entire shop affected OR when the remaining structure becomes not viable for continued use, with or without a building permit	Owner of structure with or without full title or tax declaration to the land or those who are covered by customary law (e.g., possessory rights, usufruct) or other acceptable proof of ownership	<ul style="list-style-type: none"> <li>Compensation in cash for the entire structure at replacement cost as determined by the concerned appraisal committee without deduction for salvaged building materials.</li> <li>Subsistence allowance of ₱15,000 to each PAF</li> <li>Free transportation will be provided if relocating</li> <li>Rehabilitation assistance in the form of skills training and other development activities and equivalent to ₱15,000 will be provided in coordination with other government agencies if the present means of livelihood is no longer viable and the PAP will have to engage in a new income activity</li> </ul>

	Type of Loss	Application	Entitled Person	Compensation
			Renters (tenants) of affected shops	<ul style="list-style-type: none"> <li>Given a three-month notice on the schedule of demolition</li> <li>As determined by the RIC, shop renters will be entitled to a transitional allowance to cover for their computed income loss during the period that their business is interrupted, but not to exceed a 1 month period.</li> <li>If shifting, either permanently or temporarily is required, shop renters are entitled to free transportation</li> <li>Rehabilitation assistance in the form of skills training and other development activities and equivalent to ₱15,000 will be provided in coordination with other government agencies if the present means of livelihood is no longer viable and the PAP will have to engage in a new income activity</li> </ul>
5	Other fixed assets or structures	Loss of, or damage to, affected assets, partially or entirely	PAPs	<ul style="list-style-type: none"> <li>Compensation in cash for affected portion of the structure, including the cost of restoring the remaining structure, as determined by the concerned appraisal committee, with no depreciation nor deduction for salvaged building materials.</li> </ul>
6	Electric and/or water connection	Loss of, or damage to, affected assets, partially or entirely	PAPs	<ul style="list-style-type: none"> <li>Compensation to cover cost of restoring the facilities</li> </ul>
7	Public Facilities	Loss of, or damage to, public infrastructure (e.g., public water tanks, tram lines, bus stop sheds, loading platform, public health center, barangay center, electric or telephone lines, schools etc.)	Concerned agencies/institutions	<ul style="list-style-type: none"> <li>Compensation in cash at replacement cost to respective agencies.</li> </ul>

## 6 PARTICIPATION AND GRIEVANCE MECHANISM

### 6.1 Framework for Community Participation

It has been generally recognized that community participation is crucial in the success of the resettlement project. Participation among stakeholders is mandated in the Philippine Constitution and in the UDHA. The framework for community participation process is established in Table H-2 below.

**Table H-2 Framework for Community Participation**

Project Stages	Participants	Activities	Purpose
A. Project Preparation	LGUs DPWH NEDA Barangay Leaders Study Team PAPs	<ul style="list-style-type: none"> <li>Project Orientation                             <ul style="list-style-type: none"> <li>- Plenary Sessions</li> <li>- FGDs</li> <li>- Key Informant's Interview</li> </ul> </li> <li>Social Assessment                             <ul style="list-style-type: none"> <li>-Socioeconomic survey of PAPs</li> </ul> </li> <li>Preparation of RAP</li> </ul>	<ul style="list-style-type: none"> <li>Acceptance of the project</li> <li>Decision on alternative options</li> <li>Identification of PAPs</li> <li>Inventory of PAPs and affected structures</li> <li>Achieving just and fair compensation</li> <li>Transparency of resettlement plan</li> </ul>
B. Project Implementation	LGUs DPWH NEDA Barangay Captains LGUs	<ul style="list-style-type: none"> <li>Creation of RAP Implementation Committee (RIC)</li> </ul>	<ul style="list-style-type: none"> <li>Facilitate and address grievances</li> <li>Ensure/oversee implementation of RAP</li> </ul>
b.1. Pre-relocation Social preparation	<p>PAPs LGU RIC Barangay officials</p> <p>Sending LGU Host LGU PAPs NGOs Demolition Team DPWH RIC</p> <p>PAPs Host LGU Monitoring Team Support agencies DPWH</p>	<ul style="list-style-type: none"> <li>Site visit/orientation</li> <li>Planning for transfer</li> <li>Organizing community support groups on bayanihan system of demolition</li> <li>Demolition and transfer</li> <li>Home reconstruction</li> <li>Implement livelihood assistance program</li> <li>Community organization and social integration</li> </ul>	<ul style="list-style-type: none"> <li>Acceptance of resettlement site</li> <li>Deciding on alternative option</li> <li>Securing commitment for voluntary transfer</li> <li>Manpower support in dismantling</li> <li>Cooperation and peaceful transfer to site</li> <li>Dwelling units established</li> <li>Maintaining social network and integration to host community</li> <li>Cooperative undertaking of new settlers</li> </ul>
C. Monitoring and Evaluation	<p>Community based monitoring Team and RIC</p> <p>External entity/NGO</p>	<ul style="list-style-type: none"> <li>Internal monitoring</li> <li>Establish community based monitoring committee</li> <li>Conduct of external monitoring</li> </ul>	<ul style="list-style-type: none"> <li>To ensure efficient, effective, sustainable, timely implementation of the RAP</li> <li>Monitor the RAP's implementation (efficiency, effectiveness, impact, sustainability)</li> </ul>

## **6.2 Application of the Participatory Process to the Project Cycle**

### **(1) Project Preparation Stage**

There are 3 main stages in project preparation, namely:

- Pre-feasibility
- Feasibility
- Detailed engineering design

Each main activity has a series of sequential activities where participation is required.

### **(2) Pre-feasibility**

Step 1: The Study Team, through the CBS-PMO will contact the Regional and District Engineering Offices about the project and its components. The objectives of the meeting are to:

- (i) Explain the general concept of the project
- (ii) Discuss/explain the requirements of the project and its likely impacts
- (iii) Present tentative schedule of activities
- (iv) Create awareness and appreciation among the LGUs about the Project
- (v) Identify the various project stakeholders
- (vi) Set a general orientation meeting with stakeholders at the barangay level.

The target participants to the meeting with the LGUs are:

- (i) The Municipal Mayor(s)
- (ii) Municipal Planning and Development Coordinators (MPDC)
- (iii) The Sangguniang Bayan, especially the members of the Infrastructure Committee, and
- (iv) Barangay Captains of the communities that are to be affected by the project.
- (v) Municipal Social Welfare Department

### **Step 2: General Orientation of the Community**

Before undertaking any survey activity in the community, the Project Team (CBS-PMO with the EIAPO or any designated unit of DPWH) will conduct a thorough barangay meeting to orient and ensure that the community understands the nature and extent of the proposed project. Awareness of the project will facilitate the data-gathering process and ensure the quality of data provided by the community to the project team.

Officials of the barangay who attended the orientation meeting conducted earlier at the municipal office will facilitate the community orientation.

The suggested agenda for the General Community Orientation are:

- (i) Overview of the project, including overall objectives and merits of the same
- (ii) Identification and discussion of the likely impacts of the project
- (iii) Activities to be undertaken and their schedule, such as technical surveys, water resources assessment, social impact study, environmental impact assessment, etc.
- (iv) Expected roles of the community during the conduct of the above-mentioned technical studies.

#### Step 3: EIA/Social Assessment

The Project Team will assess the positive and adverse impacts of the project, number of households likely to be affected, types of impacts, tenure status, need for acquisition of private assets, relocation of people, etc.

Identify ethnic minority community affected, if any.

### **(3) Feasibility**

#### Step 4: RAP preparation

Based on the results of the SIA, a census and a full-blown socio-economic survey of PAPs<sup>1</sup>, including among others, an inventory of affected assets, will be conducted as an important step in drafting an appropriate resettlement action plan (RAP). Said RAP will include the amount and the process to be employed in the payment of compensation to PAPs.

A separate socio-economic survey of affected indigenous people communities will be undertaken as part of the preparation of an indigenous people action plan (IPAP), especially if the said indigenous group is not integrated into the mainstream society.

#### Step 5: Orientation of stakeholders

Upon completion of the draft RAP, the Project Team will brief concerned LGUs (i.e., municipal and barangay level as necessary), with the view that a consensus will be achieved on the following:

- (i) Resettlement program
- (ii) Relocation sites, if needed

(iii) Role of LGUs in RAP implementation

Step 6: Consultation with the Community

Still part of the process to finalize the draft RAP, consultation(s) with affected communities at the barangay level will be undertaken. For this purpose, the Project Team shall prepare a Public Information Leaflet containing a brief description of the project, including compensation policy for affected private properties.

The affected communities will also be informed on the mechanics and procedures for public participation and consultation, grievance redressed procedures, and the resettlement program. Likewise, the community's suggestions regarding relocation site(s) will be solicited, and, where warranted, its preferences for the mode of compensation for affected fixed assets (i.e., cash or land-for-land).

In case an indigenous community will be affected by the project, the consultation will also touch on the socio-cultural implications of the draft RAP and the project.

Step 7: The Project Team will finalize the RAP and, if needed, an Indigenous People Action Plan.

**(4) Finalization of technical design**

Step 8: The Project Team will orient the affected communities on the final version of the RAP and its implementation, the result of the environmental impact study and the prepared environmental management plan, and the project's detailed engineering (technical) design.

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<sup>1</sup> Processing of survey results still ongoing.

## **(5) Project Implementation Stage**

Step 9: Setting-up of various Committees as required by the project and the RAP, such as the RAP Implementation Committee (RIC). PAPs will be represented with full voting power in these committees.

### Step 10: Participation in Implementation

Whenever feasible, PAPs will be contracted in the implementation of the various activities of the project, such as reconstruction of damaged dwelling units and construction of small infrastructure units, like ripraps and retaining walls.

### Step 11: Monitoring of RAP implementation

The Project Team will enlist the participation of PAPs in the monitoring of RAP implementation. Representation of the PAPs in the internal monitoring of the implementation of the RAP will provide a more accurate reading of the local community's feelings and reactions. Specifically, internal monitoring will focus on: (i) seeing to it that that RAP is implemented as designed and approved, and (ii) verifying if funds for implementing the RAPs are provided by project authorities in a timely manner and in amounts sufficient for their purposes, and that such funds are used in accordance with the provisions of the RAP.

An independent agency or agencies will be retained by DPWH to carry out external monitoring and evaluation of the implementation of RAPs. The independent agencies may be NGOs, academic or research institutions or independent consulting firms, with qualified and experienced staff and with terms of reference acceptable to the Bank.

## **(6) Post Project Implementation Stage**

### Step 12: Evaluation of RAP implementation

A composite body of representatives from the Project Team, concerned LGUs, the various committees formed, and PAPs will be formed to conduct an evaluation of the RAP upon completion of its implementation. The coverage of the evaluation will include RAP preparation and actual implementation. Strengths and weaknesses of the whole process of the RAP will be identified for the purpose of drawing lessons from them. Said lessons will guide DPWH in future projects.

## **6.3 Grievance**

PAPs may express grievance verbally or through written appeals to RIC. Highest appeal is the court for those who reject the compensation. Grievance related to any

aspect of the project will be handled through negotiations and are aimed at achieving consensus following the procedures outlined below:

- (1) Grievance will be filed by the PAP with the RIC who will act within 15 days upon receipt thereof, except complaints and grievances that specifically pertain to the valuation of affected assets, since such will be decided upon by the proper courts;
- (2) If no understanding or amicable solution can be reached, or if the PAP does not receive a response from the Municipal Resettlement Implementation Committee within 15 days of registry of the complaint, he/she can appeal to the Office of DPWH Regional Director, through the ESS, which should act on the complaint/grievance within 15 days from the day of its filing;
- (3) If the PAP is not satisfied with the decision of the Office of DPWH Regional Director, he/she, as a last resort, can submit the complaint to a court of law.

PAPs will be exempted from all administrative and legal fees incurred in pursuant to the grievance redress procedures.

All complaints received in writing (or written when received verbally) from the PAPs will be documented.

While compensation is set according to the national and local laws and regulations, PAPs will be given a choice to select their relocation options from available sites. Housing or land options will be presented to them to allow them to select the best option that suit their needs as it relates to their accommodation preference, affordability, distance and availability of basic services. Renters who opt to be resettled will be presented with rental scheme from the available socialized housing.

The transfer of families from the point of origin to the preferred site shall be anchored on the provision of the UDHA. The law prescribes a 30-day grace period notice upon issuance of the Notice of Relocation, before dismantling of structure is undertaken. Notwithstanding this legal prescriptive period, PAPs are encouraged to effect voluntary transfer even before the notice is expired. Under these circumstances, volunteer families are given the incentive of first come first serve on choiced units in the resettlement sites or given the first available opportunity for livelihood.



## **7 INCOME RESTORATION AND TRAINING**

Income restoration will be achieved gradually for PAPs who are resettled. With the assistance of the host LGU, the resettlers will be given priority in Small Enterprise Assistance (SEA-K) Pangkabuhayan initiative of the DSWD. This applies particularly to those PAPs who have difficulty in finding a source of income to supplement their basic needs and whose income was disrupted due to resettlement. Women who are household heads will be given priority in the SEA-K assistance.

Training will be provided in vocational trades to men and women. This will be developed in conjunction with the local labor department and industries, coordinated by the host LGU, and particularly to be addressed by the Municipal Social Welfare Department.

## **8 INSTITUTIONAL ARRANGEMENTS OF RESETTLEMENT**

The specific responsibilities of each agency are defined in the Resettlement Action Plan. These include the social preparatory activities, implementation and institutional arrangement for phasing and transfer.

## **9 RESETTLEMENT COSTS AND BUDGET**

Each RAP will include detailed cost estimates for compensation and relocation of PAPs, if that be the case, with a breakdown by category of PAPs; agricultural, residential and business land; houses, structures and other fixed assets affected; transport assistance when shifting PAPs; phases of the project and by financial year. Cost estimates will make adequate provisions for contingencies.

The total cost of the RAP will be included in the cost of the project. In the case of cost overruns due to unforeseen circumstances or delays, DPWH will allocate additional funds as necessary.

On the basis of the approved RAP, funding for the implementation of the resettlement plan will be forwarded to the Regional Office, which in turn is tasked to prepare and process the vouchers for payment of compensation to PAPs, relocation expenses, operational costs, etc. Requests for payments for the aforementioned will be made by the District Engineering Office, which is principally tasked to spearhead the implementation of the RAP.

# *ANNEX I*

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## RESETTLEMENT ACTION PLAN

## **ANNEX I : RESETTLEMENT ACTION PLAN**

### **1 INTRODUCTION**

This documents sets out the strategy to address the resettlement component of the Cavite Busway System Project. It incorporates extensive discussions on resettlement issues and concerns and draws upon the following documents:

- (1) DPWH Policy on Land Acquisition, Resettlement and Rehabilitation
- (2) Government policies and implementing rules and regulation
  - Urban Housing and Development Act – RA 7279
  - RA 8974
  - BP 220
- (3) Policies on involuntary resettlement (ADB and World Bank)
- (4) Socio-economic Survey, CBS Project, 2002
- (5) Various Resettlement Action Plan of DPWH initiated Projects
- (6) Handbook on Social Dimensions for ODA Loans, JBIC 199

The Resettlement Action Plan (RAP) is designed for the project-affected persons (PAPs) of f Bacoor. In Imus, there is no affected structure that would involve resettlement. The RAP specifies the PAPs, impact benefits and entitlements, resettlement strategies and the institutional arrangement for phasing and transfer for each affected LGUs. The RAP also provides an analysis of project impacts and mitigation measures to avoid adverse impact brought about by the CBS Project.

The RAP has been validated with the selected number of PAPs through a workshop which was held in Bacoor Municipality on August 28, 2002. Their views and recommendations have been incorporated in this document.

### **2 PROJECT BACKGROUND AND OBJECTIVES**

Cavite is one of the most rapidly growing areas around Metro Manila. Its population was 2.1 million in 2000 and is predicted to increase to 4.1 million by 2015. This population growth, coupled with industrial and commercial development, has brought about a serious traffic condition to this area.

To address the road problem and traffic situation of Cavite, the CBS Project intends to construct a Busway, starting start from Bacoor, passing through Imus and stretching up to Dasmariñas, requiring a total road length of 19.65 kilometers. Preliminary social and environmental assessment revealed high beneficial impact of the project on the environment as well as on direct and indirect beneficiaries. Overall, it will reduce traffic congestion, improved transportation facilities and

access to basic services, and, will contribute to the general improvement on the socioeconomic status of Cavite.

The CBS project is a national project which will be implemented by the Department of Public Works and Highways (DPWH), and participated by the local government units.

### **3 DIMENSIONS OF LAND ACQUISITION AND RESETTLEMENT**

#### **3.1 Methodology of Survey and Selection Process on ROW**

Policies of both JBIC and DPWH require resettlement to be reduced where feasible. To meet this requirement, several road options were examined to minimize displacement. Three (3) proposed options (A, B, & C) were examined in several segments of Bacoor, Imus and Dasmariñas. The assessment was necessary for the planning requirement and decision making for the LGU in choosing the alignment which is most feasible, cost effective and shall affect a minimum social displacement.

A parcellary survey was conducted to establish the road alignment. Although the alignment was decided at 40 meters, a contingency of twenty meters was added (10 meters of both sides from the center line), thus the survey was conducted at 60 meters. The social survey representing one hundred percent of the affected structures/households was then conducted in Bacoor. A five percent (5%) margin of error was allowed which included the PAPs who at the time of the survey were either unavailable or who refused to be interviewed. Two callbacks were undertaken for those who were unavailable during the survey period.

In the initial survey results conducted at 60 meters of Line B, a total of 211 structures were settled within the recommended ROW, comprising of 263 households with a total population of 1,130. A validation of this survey needs to be undertaken to establish the final identification of PAPs before project implementation.

#### **3.2 Magnitude of Affected Land, Structures and Households**

The social assessment indicated that from among the proposed alternative Lines in Bacoor, Line B is potentially viable. The Study Team has therefore recommended Line B as an option to consider.

**Table I-1: Scale of Affected Structures and Households on Line B**

Area	Length of road	Estimated No. of Structures	Estimated No. of Households	Total Population
Line B At (60) mts. <i>Bacoor</i>	3.675 kms	211	263	1130

The total number of affected structures in the recommended Bacoor section (Line B) is 211 comprising of 263 households with a total population of 1,130. Of these, the majority, are predominantly concrete houses (62.55%), and (25.11) are predominantly wooden. Table I-2 presents the categories of structures.

**Table I-2: Categories of Structures**

Type	Number	Percentage
Shanty	11	5.21
Mixed light materials	15	7.10
Predominantly wooden	53	25.11
Predominantly concrete	132	62.55
Total	211	100 %

There are three types of PAPs. They vary in terms of social standing, level of needs and affordability. These are identified in Table I-3.

**Table I-3: Categories of PAPs**

Categories	Bacoor	%
Land owners	11	4.19
Renters	61	23.19
Informal dwellers	191	72.63
Total	263	100

Of the above categories, majority are informal dwellers (72.63%). These informal dwellers have lived in the area for more than 10 years, reflecting years of stability and dynamism as shown in the investment they have afforded in their houses. The renters comprise a significant 23%.

#### **4 THE RISK AND REHABILITATION FRAMEWORK OF THE RAP**

Risks in resettlement are unintended effects but are embedded in all displacement. These risks or losses are identified below to capture the core economic and social substance as a result of displacement of the CBS Project. This framework also serves as a tool to mitigate the impact of resettlement as well as to establish the principle of reconstructing the resettler's livelihood. It prescribes beyond compensation of loss of property and helps chart the course of reconstruction activities. These are the essence and objectives of the RAP.

The Risks and Rehabilitation Framework identifies nine (9) risks with variable intensities along with corresponding policies and programs to mitigate these risks:

#### **4.1. From Loss of Land to Land-based Restoration**

Expropriation of land removes the main foundation upon which people's productive systems, commercial activities and livelihoods are constructed. In the CBS Project, loss of land is less significant as 76 % of PAPs are informal dwellers. However, there still exist a total of 25 structures belonging to commercial establishments and residential houses that would require replacement of land. To mitigate this, a compensation of equivalent to replacement cost of land will be provided to the PAPs.

#### **4.2 Loss of Homes to House Reconstruction**

Studies indicate that only 25% of wooden materials can be utilized once the housing structure is demolished, and zero percent for cemented structures. In the CBS Project, 211 residential structures and 25 commercial structures will be affected. Of the residential structures, (129) 63% are predominantly concrete. The remaining are predominantly wood (25%), light materials (7.10%) and shanty (5.21). This also implies that about 12% of the residential structures that will be affected would be able to reconstruct 15% only of the salvaged materials if they are to reestablish new dwelling units.

To mitigate this risk, the Project will provide affected families with options that best suit their needs. Options will include provision of serviced plots for resettlement or cash compensation for the structures.

#### **4.3 Loss of Job and Income to Self-employment or Re-employment**

The incidence of chronic or temporary joblessness is expected during the resettlement period as PAPs are bound to reconstruct their homes. The survey results indicate that PAPs with commercial businesses will be affected as well as those who are presently employed within their present location. There will also be an expected increase in transportation cost for those who will be resettled outside Bacoor.

To mitigate this risk, the Project will compensate for loss of temporary income by providing a subsistence allowance during the reconstruction period, computed at per day income and verified by the Resettlement implementing Committee.

Informal dwellers that will be resettled will be provided with adequate assistance on job placement and access to income generating opportunities. Institutions like the Department of Social Welfare and Development, the Department of Trade and

Industry, Department of Labor, and other private agencies involved in urban poverty alleviation, job placement will be tapped to enable affected families to gain access to basic services, employment and credit assistance.

#### **4.4. Food Insecurity to Adequate Nutrition and Better Health Care**

Forced uprooting increases the risk that will fall into symptomatic or chronic malnourishment especially among children and women. The sudden drop in food crops availability and income are predictable during physical relocation. Escalating prices also often place food beyond purchasing power of the affected poor families. The results indicate that 75 of the PAPs are farmers. Several studies on resettlement showed that the temporary drop in food crops take place as PAPs give priority to home reconstruction and the displacement of people and unemployment are ways that disrupts the flow of food into the cooking pot. There is also high increase in the decline in health from displacement, usually caused by social stress, food insecurity, psychological trauma, and outbreak of relocation-related illnesses which strongly affect infants, children, pregnant women, and the elderly.

During transfer and reconstruction, the Project will ensure provision of cash and food assistance to address basic needs of displaced families. The Project will also ensure the provision of basic facilities such as adequate water and electricity as well as ensure the availability of health workers in the resettlement sites.

#### **4.5 Loss of Community Assets and Structures**

Structures such as barangay halls, portion of school and recreation center on the busway ROW have been identified. The Project will ensure that these public buildings and structures will be restored or compensated based on its original area and structure.

#### **4.6 Education Disruption to Continuing Education**

Resettlement often tends to disrupt children's education. Children must often share in household chores during home reconstruction and contribute to the family income by working for others or by begging on the streets. The Project will ensure that school children of the resettled families will be given priority accommodation in the host school. The local government unit in coordination with the Department of Education, Culture and Sports will be tapped to facilitate on this.

## 5 OBJECTIVES, POLICIES AND REGULATIONS

Everywhere, the core content of unmitigated forced displacement is economic and social uprooting, thus in order to avoid such, the Resettlement Action Plan is established to achieve the following:

- (1) Adverse social impact of road projects are avoided, minimized and/or mitigated;
- (2) PAPs are provided with sufficient compensation and assistance for lost assets which will assist them to improve or at least maintain their pre-Project standards of living, and; and
- (3) Everybody will benefit from the project.

The laws and regulations of the GOP, provincial and local government directives shall determine the policies and entitlements for the RAP. Specifically, the UDHA determines the procedures for resettlement, and RA 8974 determines the conditions for land acquisition and compensation. A Summary of relevant policies on land acquisition and resettlement are found in Table 1-4. Details of the resettlement policy to be adopted in the RAP are established in a separate document entitled “Resettlement Policy”.

**Table I-4 Summary of Relevant Policies on Land and Resettlement**

<b>Policy</b>	<b>Subject</b>	<b>Description</b>
Eviction and demolition	RA 7279 -UDHA	Observance of just and humane manner in eviction and demolition
Land Valuation and compensation	RA 8974	Modes of land acquisition, procedures in expropriation and compensation
Resettlement options	RA 6026	Provides options and assistance to squatters
Compensation for lost crops	EO 1035	Compensation for lost crops, displaced tenants and settlers
Eminent domain	Cir. No. 35 and RA 7160 of 1990	Allows government to exercise eminent domain on payment of just compensation
Community participation	Art. 111 Sec. 10, 1987 Philippine constitution	Participation communities in development initiatives
Gender and development	RA 7192	Mainstreaming gender concerns in development projects

## 6 RESETTLEMENT OPTIONS AND STRATEGIES

### 6.1 Options

PAPs will be provided with a range of options that best suit their needs and levels of affordability. These options include:



### **Option 1**

- (a) Land stewardship on serviced plots: This option will provide beneficiaries with serviced plots in the government's resettlement site. A standard size of land (about 60 sq meters) will be appropriated to qualified beneficiaries and allow them long term occupancy with minimal rent. Families will be allowed to use their salvageable materials to reconstruct their homes.
- (b) Titled land. This will be provided to beneficiaries who are interested to amortize the lot, payable within a 25-year period through the Community Mortgage program (CMP) or PAG-IBIG.

### **Option 2**

Cash compensation equivalent to replacement cost of the structure. No provision of land for PAPs for this option.

### **Option 3**

Socialized housing will be made available to PAPs who are interested to avail of the socialized housing on a rental scheme determined by the National Housing Authority. Assistance will be provided to beneficiaries who choose this option and in facilitating the application, entry and occupancy procedures.

The above option (except for cash compensation) needs to be coordinated with NHA as the agency mandated to address housing programs.

Of the proposed options, the social survey indicates that cash compensation is the most preferred option, although many also indicated preference for in-city resettlement.

## **6.2 Strategies**

The LGUs shall explore all efforts to identify available lands for site development to avoid economic displacement of PAPs. The development of the resettlement sites needs to ensure the accessibility to transport and basic facilities.

The LGUs shall avail of the Balanced Housing Development of BP 220 which brings the private sector into the provision of low-income housing through the mandatory allocation by the developers of at least 20% of the subdivision under construction, or 20% of the project cost for socialized housing.

The availability of land for resettlement is a major constraint in Bacoor. In the event that no land is available in Bacoor, the Provincial Government will have to assist the LGU of Bacoor in the resettlement requirement.

## 7 ENTITLEMENTS AND BENEFITS

### 7.1 Eligibility

Eligible beneficiaries shall include those who at the time of the survey are settled on the ROW and any of the proposed land for expansion or terminals of the CBS project. The cut-off date for the eligibility of beneficiaries will take effect on the day the RAP has been validated and approved by the Resettlement Committee, which must be established before project implementation. The eligible beneficiaries entitled to benefits and assistance shall include the following:

- (1) Legitimate owners of land and structures
- (2) Informal Dwellers and
- (3) Renters

### 7.2 Compensation

The entitlements and benefits are indicated in the Compensation Matrix below. These apply to eligible beneficiaries identified above after the validation of the census survey, of which the cut-off- date is to be decided by the Resettlement Committee.

**Table I-5 Compensation Matrix**

	Type of Loss	Application	Entitled Person	Compensation
1	Arable land	This comprises about 70 % of land required for the ROW	One Asia	<p>Shall be re-confirmed during project preparation. One Asia has indicated willingness to donate land for the busway ROW. However, for the portion of land needed, the following is the standard compensation that can be offered:</p> <ul style="list-style-type: none"> <li>• Cash compensation at replacement cost based on the appraisal by an independent appraiser. Current cost of land is estimated at P1,000/sqm</li> <li>• Cash compensation for perennials of commercial value as determined by the DENR or the concerned appraisal committee</li> <li>• PAPs will be given sufficient time to harvest crops on the subject land</li> </ul>

	Type of Loss	Application	Entitled Person	Compensation
			20 farmers who are agricultural lessees cultivating the land	As per RA 6389 and EO 1035: <ul style="list-style-type: none"> <li>Disturbance compensation equivalent to five times the average of the gross harvest on the land holding during the five preceding years but not less than ₱15,000.</li> <li>Rehabilitation assistance (skills training and other development activities) equivalent to ₱15,000 will be provided in coordination with other government agencies if the present means of livelihood is no longer viable and the PAP will have to engage in a new income activity</li> </ul>
2	Residential land and/or Commercial land	This comprises about 30% required for the ROW	Owners of structures with full title or tax declaration to the land or those who are covered by customary law (e.g., possessory rights, usufruct) or other acceptable proof of ownership. There are 11 landowners affected.	For the portion of the land needed: <ul style="list-style-type: none"> <li>Cash compensation at replacement cost equivalent to the appraised value as determined by an independent appraiser. The estimated cost of land is P8,000/sqm categorized as commercial land.</li> </ul>
3	Main Structure/ commercial	Entire structure affected OR when the remaining structure becomes not viable for continued use, with or without a building permit	<p>Owners of business commercial structures:</p> <ol style="list-style-type: none"> <li>Super Nine</li> <li>Tropical hut</li> <li>Hardware shops</li> <li>Hospital: St Dominic</li> </ol> <p>Owners of residential structures, have no title or tax declaration to the land or other acceptable proof of ownership. This comprise of owners with structures which are:</p> <ol style="list-style-type: none"> <li>Predominantly concrete - 132</li> <li>Predominantly wooden - 53</li> <li>mixed or shanty dwellers in urban areas, have no title or tax declaration to the land or other acceptable proof of ownership. This comprise of 26 structures.</li> </ol>	<ul style="list-style-type: none"> <li>Cash compensation at replacement cost for the entire structure, as determined by the concerned appraisal.</li> <li>Cash compensation at replacement cost for the entire structure, as determined by the concerned appraisal. The housing structures are categorized as <ul style="list-style-type: none"> <li>Class 4 estimated at P400, 000</li> <li>Class 3 estimated at P200,000</li> <li>Total cost =P66,800,000</li> </ul> </li> <li>Cash compensation at replacement cost for the entire structure, as determined by the concerned appraisal.</li> <li>Shanty dwellers in urban areas who opt to go back to their place of origin in the province or be shifted to government relocation sites will be provided free transportation.</li> <li>PAPs who have business activities affected due to partial impact on the structure are entitled to a subsistence allowance for the loss of income during the reconstruction period. Subsistence allowance is equivalent to P10,000 per PAP.</li> </ul>

	Type of Loss	Application	Entitled Person	Compensation
			Lessees of affected structures, including shanty dwellings in urban areas	<ul style="list-style-type: none"> <li>• Informal dwellers who opt to be relocated at the government's resettlement site will not receive any cash compensation for the structure. A transportation assistance will be provided to assist them in transporting the salvaged materials.</li> <li>• Cost of resettlement which include land development and housing is estimated at P60,000.</li> <li>• Rehabilitation assistance in the form of skills training and other development activities and equivalent to PhP15,000 will be provided in coordination with other government agencies if the present means of livelihood (e.g., house cum shop) is no longer viable and the PAP will have to engage in a new income activity.</li> <li>• PAPs who have business activities affected due to the severe impact on the structure are entitled to a subsistence allowance for the loss of income during the reconstruction period. (Such will be verified and computed by the RIC).</li> <li>• Given 3-month notice on the schedule of demolition.</li> <li>• PAF is given transitional allowance equivalent to one month rent of a similar structure within the same area.</li> <li>• For house tenants renting structures outside of, or within the ROW, and who have to transfer elsewhere, free transportation will be provided.</li> <li>• Renting shanty dwellers in urban areas who opt to go back to their place of origin in the province or be relocated to government relocation sites will be provided free transportation plus food allowance during travel period.</li> <li>• If renters choose to relocate in government resettlement sites, a rent scheme will be offered according to the prevailing rent for socialized housing.</li> </ul>

	Type of Loss	Application	Entitled Person	Compensation
4	Independent shops (structures)	Shops, with or without building permit, partially affected and the remaining structures are still viable for continued use.	4 independent shop owners/	<ul style="list-style-type: none"> <li>• Compensation in cash at replacement cost for affected portion of the structure, including the cost of restoring the remaining structure, as determined by the concerned appraisal committee with no deduction for salvaged building materials.</li> <li>• As determined by the RIC, PAPs will be entitled to transitional allowance to cover for their computed income loss during the demolition and reconstruction of their shops, but not to exceed a one-month period.</li> </ul>
			21 Renters (tenants) of affected shops	<ul style="list-style-type: none"> <li>• Given a three-month notice on the schedule of demolition.</li> <li>• As determined by the RIC, shop renters will be entitled to a transitional allowance to cover for their computed income loss during the period that their business is interrupted, but not to exceed 1-month period.</li> <li>• If shifting (either permanently or temporarily) is required, shop renters are entitled to free transportation.</li> <li>• Rehabilitation assistance in the form of skills training and other development activities and equivalent to ₱15,000 will be provided in coordination with other government agencies if the present means of livelihood is no longer viable and the PAP will have to engage in a new income activity.</li> </ul>
5	Electric and/or water connection	Loss of, or damage to, affected assets, partially or entirely	PAPs	<ul style="list-style-type: none"> <li>• Compensation to cover cost of restoring the facilities</li> </ul>
6	Public Facilities	Loss of, or damage to, public infrastructure	Church -1 Barangay hall -1	<ul style="list-style-type: none"> <li>• Compensation in cash at replacement cost to respective agencies. Estimated cost is about P2 million</li> </ul>

## 8 INSTITUTIONAL ARRANGEMENTS OF RESETTLEMENT

The successful implementation of the RAP greatly depends on the commitment of and the systematic coordination among the different agencies. The responsibilities of each agency are established below.

## **8.1 DPWH**

- (1) Decide and approve the final alignment of the ROW
- (2) Delineate the road boundary and its effect on the individual lots along the ROW
- (3) Secure budget for the acquisition and payment of the lots from either the lot owners or through the Trust
- (4) Design and construct, by itself or through contractors, the CBS project
- (5) Undertake the relocation of affected utilities

## **8.2 Cavite Province**

- (1) Orchestrate the timely realization of the project
- (2) Provide support to the three LGUs in fulfilling their obligations
- (3) Assist in the relocation needs of the LGUs

## **8.3 LGUs –Bacoor, Imus and Dasmarinas**

- (1) Take the lead in determining the fair and just compensation of the affected property, including the improvements thereof
- (2) Negotiate and persuade land owners to participate in the project
- (3) Make an inventory of and assist the informal dwellers in relocation
- (4) Organize localUndertake community preparation to include consultation, information dissemination
- (5) Prepare and finalize masterlist of households for resettlement
- (6) Assist DPWH in dismantling of structures and relocation of families
- (7) Prepare a rehabilitation, social integration program for resettlers
- (8) Ensure the peaceful and orderly procedures of relocation
- (9) Ensure the absorption of displaced school children

## **8.4 Environment Impact Assessment Project Office (EIAPO)**

The EIAPO will provide technical guidance and support in the implementation of the RAP and will be responsible for the following resettlement activities:

- (1) Overall preparation and planning of the RAP;
- (2) Submission of RAP budget plans (to include compensation, relocation costs, operation) for approval of allocation of needed resources by DPWH central office;
- (3) Ensuring the availability of funds and the proper accounting of expenses;
- (4) In accordance with the Department's resettlement policies, guiding the RAP Implementation Committees (RICs) in their tasks, such as the verification of PAPs, final inventory of affected assets, and information dissemination;

- (5) Amending or complementing the RAP in case problems are identified during the internal and/or external monitoring of its implementation;
- (6) In collaboration with its counterpart in the region, following-up with concerned DPWH Regional Office the processing of compensation claims of PAPs;
- (7) In collaboration with its regional and district counterparts, monitoring the actual payment of compensation to PAPs; and,
- (8) In collaboration with its regional counterpart, preparing periodic supervision and monitoring reports on RAP implementation for submission to CBS-PMO and the funding institution.

### **8.5 Regional and District Engineering Offices of DPWH**

Successful implementation of the RAP will require close coordination with the Regional Office, especially the District Engineering Office (DEO). The DEO will be the principal and regular representative of DPWH in the RICs. However, the Regional Office will be the Environment and Social Services (ESS) principal link with the District. Together with the ESS at the Central Office, the regional counterpart will extend technical support to the District in relation to RAP implementation.

### **8.6 RAP Implementation Committee (RIC)**

The RIC will be set up and will be composed of the following:

- (1) Representative of the Municipal Government
- (2) Representative of the PAPs
- (3) Representative of the indigenous people (IP) within the project area
- (4) A senior member of the staff of DPWH District Engineering Office (or ESS staff)
- (5) Representative of the concerned Barangay Government
- (6) Representative from an NGO or people's organization (PO)

### **8.7 Steering Committee of Project Implementation**

The following are the tasks of the Steering Committee

- (1) Orchestrate the input and activities of the project
- (2) Establish linkage with other entities necessary for its successful operations and provide the framework for collaboration
- (3) Identify /recommend areas needing national intervention

## 8.8 Taskforce on the ROW Acquisition

- (1) Coordinate the land acquisition on the ROW
- (2) Coordinate the inventory of assets (land and structure) that will be affected by the project
- (3) Coordinate with the appraiser on the valuation of land and structure
- (4) Coordinate the arrangement for the mode and financing of the ROW
- (5) Conduct consultation with PAPs and land owners/developers on ROW plan and relocation
- (6) Identify and make arrangements for the development of sites for relocation, if any.
- (7) Report development and progress of the project to the Steering Committee

## 9 IMPLEMENTATION SCHEDULE

The resettlement program will be implemented within a period of one year and shall take place at least one year also before project implementation. The specific activities are spelled out in Table I-6.

**Table I-6 Implementation Schedule of the Resettlement Activities**

Major Activities	Responsible Agencies		Time Frame											
	Primary	Secondary	1	2	3	4	5	6	7	8	9	10	11	12
<b>1. Pre- Relocation Stage</b>														
A. Social mobilization														
Establish RIC Committee	LGU	DPWH	X											
Grievance management	LGU/RIC			X										
B. Land Acquisition and Development	LGU/Province		X	X	X	X	X	X	X					
Environmental assessment	EIAPO		X											
Subdivision survey/planning	LGU		X	X	X									
C. Appraisal of land/structure by independent agency	Private		X	X	X									
<b>2. Relocation and Transfer Stages</b>										X	X	X	X	X
Demolition and transfer	LGU	DPWH								X	X	X		
Payment of compensation/benefits	RIC				X	X	X	X	X					
<b>3. Settlement Phase</b>										X	X	X	X	X
Reconstruction of homes	PAPs									X	X	X	X	X
Social integration	LGU									X	X	X	X	X
Implementation of livelihood and training	LGU									X	X	X	X	X
<b>4. Post Settlement</b>														
Monitoring and Evaluation	LGU	NGOs								X		X		

## 10 RESETTLEMENT COSTS AND BUDGET

The resettlement budget and costs are presented in Table I-7. These include costs of land development for resettlement site and basic services, cash compensation requirement for specific categories of losses, social services/training and livelihood. The budget provides a breakdown of expenditures, financial requirement and agency concerned indicating the percentage share of each entity.



**Table I-7 Cost of Resettlement**

<b>Line B</b>	<b>Cost per PAP</b>	<b>No. of PAF</b>	<b>Total Project Cost</b>
a. Land acquisition and development - development of land -development of basic amenities	60,000.00	26	1,560,000.00
b. Cost of relocation and transfer	10,000.00	26	260,000.00
c. Replacement cost of structures			
Class 111	200,000.00	51	10,200,000.00
Class IV	400,000.00	129	51,600,000.00
d. Livelihood assistance and skills training	10,000.00	26	260,000.00
e. Transportation cost for assistance and transfer assistance	5,000.00	26	130,000.00
f. Inconvenience allowance	10,000.00	263	2,630,000.00
g. One month assistance for rent	2,500.00	61	152,500.00
<b>Total Cost</b>			<b>66,792,500.00</b>