



METRO MANILA FLOOD MANAGEMENT PROJECT (MMFMP)

RIGHT-OF-WAY ACQUISITION PLAN Batch 3 Pumping Stations

December 2024

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ACRONYMS

ADRI	Agreement to Demolish and Remove Improvements
AF/AP	Affected Family/Person
BIR	Bureau of Internal Revenue
CA	Commonwealth Act
CLOA	Certificate of Land Ownership Award
CMP	Community Mortgage Program
COA	Commission on Audit
COC	Certificate of Compliance
CRIC	City Resettlement Implementation Committee
CSO	Civil Society Organization
DAR	Department of Agrarian Reform
DBM	Department of Budget and Management
DENR	Department of Environment and Natural Resources
DEO	District Engineering Office
DHSUD	Department of Human Settlements and Urban Development
DILG	Department of the Interior and Local Government
DMS	Detailed Measurement Survey
DO	Department Order
DPWH	Department of Public Works and Highways
DRAM	DPWH Right-of-Way Acquisition Manual
DSWD	Department of Social Welfare and Development
ECC	Environmental Compliance Certificate
EJS	Extrajudicial Settlement
EMA	External Monitoring Agency
EO	Executive Order
EP	Emancipation Patent
ESMP	Environmental and Social Management Plan
ESSD	Environmental and Social Services Division
FCMC	Flood Control Management Cluster
FCSMO	Flood Control and Sewerage Management Office
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service
HOA	Homeowners Association
HUDCC	Housing and Urban Development Coordinating Council
IA/IO/IU	Implementing Agency/Office/Unit

ID	Identification Card
IEC	Information, Education, and Communication
IMA	Internal Monitoring Agency
IP	Indigenous People
IPA	Independent Property Appraiser
IPRA	Indigenous People's Rights Act
IROW	Infrastructure Right-of-Way
IRR	Implementing Rules and Regulations
ISF	Informal Settler Family
KSA	Key Shelter Agency
LAPRAP	Land Acquisition and Resettlement Action Plans
LARRIPP	Land Acquisition, Resettlement, Rehabilitation, and Indigenous Peoples' Policy
LBP	Land Bank of the Philippines
LGU	Local Government Unit
LHB	Local Housing Board
LIAC	Local Inter-Agency Committee
LMB	Land Management Bureau
LRIP	Livelihood Restoration and Improvement Program
MC	Memorandum Circular
MMDA	Metropolitan Manila Development Authority
MMFMP1	Metro Manila Flood Management Project, Phase 1
MOA	Memorandum of Agreement
NAMRIA	National Mapping Resource Information Authority
NCIP	National Commission on Indigenous Peoples
NGO	Non-government Organization
NHA	National Housing Authority
NOA	Notice of Award
NOT	Notice of Taking
NTP	Notice to Proceed
OCT	Original Certificate of Title
OP	Operational Policy
OSG	Office of the Solicitor General
OTB	Offer to Buy
PAE/PAF/PAH/PA	Project-Affected Entity/Family/Household/Person
PCU	Public Complaints Unit
PCUP	Presidential Commission for the Urban Poor

PDC	Pre-Demolition Conference
PNP	Philippine National Police
PPP	Public-Private Partnership
PSA	Philippine Statistics Authority
RA	Republic Act
RAP	Resettlement Action Plan
RCS	Replacement Cost Study
ROW	Right-of-Way
ROWAP	Right-of-Way Acquisition Plan
RPF	Resettlement Policy Framework
SCM	Stakeholders' Consultation Meeting
SES	Socio-Economic Survey
SEMS	Social and Environmental Management System
SHFC	Social Housing Finance Corporation
SO	Special Order
SPA	Special Power of Attorney
SRS	Stakeholders Relations Service
TCT	Transfer Certificate Title
TF	Technical Footprint
TWG	Technical Working Group
UDHA	Urban and Development Housing Act
UPMO	Unified Project Management Office

EXECUTIVE SUMMARY

The Government of the Philippines, with the technical and financial support of the World Bank (WB), has prepared a Flood Management Master Plan for Metro Manila and surrounding areas. The plan, approved by the National Economic and Development Authority (NEDA) Board on September 4, 2012, proposes a set of priority structural and non-structural measures to provide sustainable flood management up to a certain safety level. The main elements of the Master Plan are: (a) structural measures to reduce flooding from river systems that run through the city; (b) structural measures to eliminate long-term flooding in the floodplain of Laguna de Bay; (c) structural measures to improve urban drainage; (d) non-structural measures such as flood forecasting and early warning systems, and community-based flood risk management; and (e) improved institutional structure to deal with flood management in an integrated manner.

The Metro Manila Flood Management Project, Phase 1 (MMFMP1) has four components namely: (i) Modernization of Drainage Areas and Pumping Stations to be undertaken by the Department of Public Works and Highways (DPWH); (ii) Minimizing Solid Waste in Waterways to be undertaken by the Metropolitan Manila Development Authority (MMDA); (iii) Participatory Housing and Resettlement to be undertaken by DPWH, Key Shelter Agencies (KSAs), MMDA, and concerned Local Government Units (LGUs) and agencies; and (iv) Project Management, Support, and Coordination to be undertaken by DPWH and MMDA.

The Project is defined by its Technical Footprint (TF). The TF covers the pumping station, waterway maintenance access points, and the optimum pumping area (OPA). The physical limits of the TF are established based on hydrological and engineering criteria for each drainage area.

Under Component 3, several pumping stations will be rehabilitated in batches consisting of several subprojects. The rehabilitation and modernization of these pumping stations will replace pumps and related equipment with new, more efficient, and higher capacity units. The subproject will also finance cleaning and improvements to key sections of waterways and drainage channels serving the pumping stations to ensure unobstructed flow into the facility and enable unencumbered access for waterway maintenance.

Under Batch 3 Pumping Stations in Malabon City, there are 10 pumping stations to be rehabilitated, and among these, 7 pumping stations have project-affected families (PAFs), namely: Artex, Balot, Herrera, Niugan, Acacia, Magsaysay and Merville-Dampalit. Six (6) pumping stations are subject to land acquisition, namely: Artex, Balot, Herrera, Concepcion, Magsaysay, and Merville-Dampalit. These pumping stations are within the congested area of Malabon City and are very functional and crucial during rainy seasons. The environs are characterized by generally densely occupied low-rise structures with informal settlements within the creek and public right-of-way (ROW) obstructing the waterways. These obstructions include the structures built by the informal settler families (ISFs) on the accumulated silts and debris along the inner wall of the waterways. These also cover those structures which would impact the proper operation and maintenance of the pumping stations and the associated waterways.

Scope of Land Acquisition and Project Impact. Rehabilitation of the abovementioned 6 pumping stations will necessitate the acquisition of 3,961 sq. m. of land and 3 residential structures. Although a total of 23 PAFs are within the TF of these pumping stations and drainage areas, only 5 PAFs who own land and structures are included in this Plan. The other 18 PAFs, all in the vicinity of Magsaysay Pumping Station, are covered under the Magsaysay

Pumping Station Resettlement Action Plan (RAP) which was approved by the Bank in August 2024.

Table 1. Number of PAFs per Pumping Station and Affected Asset

Pumping Station	Barangay	Asset Affected		Number of PAFs		Remarks
		Land	Structures			
Magsaysay	San Agustin	Yes	Yes	18		<ul style="list-style-type: none">• Included in the Magsaysay Pumping Station RAP approved in August 2024• 17 PAFs are members of Samahan Balikatan Matadero Beacum Magsaysay Homeowners Association• 1 PAF is from People’s Homesite and Housing Corporation
Artex	Panghulo	Yes	No	1	5	Only included in this Plan
Balot	Hulong-Duhat	Yes	No	1		
Herrera	Ibaba	Yes	Yes	3		
Total				23		

Majority of land identified for acquisition is owned by the government (60.43%), while the rest are owned by private individuals (39.57%). For the latter, land acquisition will be carried out in accordance with the Republic Act (RA) No. 10752 and its 2016 amended Implementing Rules and Regulations (IRR). There are no impacts identified on trees, crops, and livelihood of the 3 PAFs (please see Table 2.4).

The cut-off date that applies to titleholders is upon issuance of the Notice of Taking (NOT) per provision of the DPWH ROW Manual (Section 4, Department Order No. 152, Series of 2017).

Measures Adopted to Minimize Impacts. For Batch 3 Pumping Stations, all existing pumping stations are located in government land. However, there are 4 pumping stations wherein the acquisition of adjacent private land is unavoidable during rehabilitation to reach the optimum level of capacity.

For the PAFs, mitigation measures and/or payment of compensation will be completed prior to issuance of the Notice to Proceed (NTP) for rehabilitation works. Likewise, before and after the inventory of losses (IOL) was undertaken, local officials and residents have been advised to refrain from building new fixed structures after the cut-off-date, upon issuance of NOT.

Methodology. Information on land acquisition impacts was obtained through parcellary surveys, census and tagging, socio-economic surveys (SES), detailed measurement surveys (DMS), and replacement cost surveys. Consultations were conducted in the course of conducting the various surveys.

Relocation Process and Approaches. The PAFs opted to self-relocate in lieu of assisted relocation. Due diligence on the relocation of PAFs will be conducted to ensure that the site they will be transferred to will maintain or improve their current standard of living.

Project Entitlements. The landowners and structure owners will be compensated based on the replacement cost. Other entitlements will be provided based on eligibility, e.g., inconvenience allowance for the severely affected structures, transportation allowance, and, if applicable, rental subsidy for PAFs constructing their houses somewhere else.

Consultation and Participation. Public information activities and meetings with the PAFs were conducted by the DPWH - Unified Project Management Office (UPMO) from 22 March 2023 to 25 July 2023, and were attended by 33 persons (21 men and 12 women). On 08 October 2024, a meeting with Social Housing Finance Corporation (SHFC) (5 attendees), DPWH/Consultant (2 attendees), and Samahan Balikatan Matadero Beacum Magsaysay Homeowners Association (2 attendees) was conducted to discuss the process of compensation of land under the Community Mortgage Program (CMP).

Each landowner was met by the DPWH to inform that their land is affected by the Project using the parcellary survey results. During the discussion, the project status, schedule of acquisition, and the compensation and other entitlements were presented. All landowners provided positive feedbacks to the Project. They are willing for DPWH to acquire their property for the rehabilitation of the pumping stations.

Grievance and Redress Mechanism (GRM). As part of its Citizens' Charter, DPWH has a functioning feedback handling system composed of two components: (a) Feedback Handling, a system that receives, sorts, and resolves feedback on DPWH projects, and (b) Civil Society Organization (CSO) accreditation for CSOs to serve as partners and/or observers in all stages of project development cycle. The GRM for the MMFMP1 will enhance the existing feedback handling of DPWH to ensure transparency so that project issues and concerns of the PAFs at various uptake levels are effectively and expeditiously addressed and resolved. This mechanism provides the PAFs the opportunity to clarify and voice out any complaints and grievances regarding the overall implementation and resettlement process.

Institutional Arrangement. The overall responsibility for the implementation of the Project is under the DPWH UPMO – Flood Control Management Cluster (FCMC). The UPMO-FCMC will be assisted by the Environmental and Social Services Division (ESSD) and ROW Unit in providing technical guidance and support in the implementation of ROW Acquisition Plan (ROWAP). All activities related to the plan preparation and implementation will be periodically reported by DPWH to the World Bank, and the ROWAP will be concurred by the World Bank prior to its full implementation in accordance with the Resettlement Policy Framework (RPF) and its safeguard policies.

ROWAP Budget. Funds for the implementation of ROWAP will be provided by the DPWH. Total funds required to implement the ROWAP is estimated at **Php 31,169,124.36**, including 10% Project Administration Cost and 15% Contingency. This also includes the construction and development of housing units, project administration cost, and contingency.

Monitoring Mechanism. The main objective of the monitoring is to verify whether the resettlement was effectively implemented as planned, resettlement assistance were provided in a timely manner, and livelihoods and standards of living were improved or, at least, restored. The DPWH UPMO-FCMC shall conduct the supervision and in-house monitoring of implementation of the ROWAP. An external monitoring agent will be engaged in the Project to perform independent monitoring on the progress of the ROWAP and its compliance with the social safeguard requirements of the Project.

1. PROJECT DESCRIPTION

1.1. Background

Metro Manila is a highly urbanized area located in a low-lying delta, with Manila Bay at the west, Laguna de Bay at the southeast, and a system of mountain ranges at the north and northeast that drain flash floods into the Pasig-Marikina River System during typhoon events. Many areas in the Greater Metro Manila Area are low-lying and designated as flood prone, with insufficient protection against frequent inundation due to restricted natural drainage.

The Flood Control and Sewerage Management Office (FCSMO) of the Metropolitan Manila Development Authority (MMDA) has, as its mandate, the formulation and implementation of policies, standards, programs, and projects for integrated metro-wide flood control, drainage, and sewerage services in Metro Manila. Presently, MMDA operates 57 pumping stations throughout Metro Manila, comprising of 23 major stations to discharge drainage water from populated areas into waterways and rivers, servicing around 8,000 ha (about 12.5% of the total area of Metro Manila) and a population of over 2.2 million people, 17 pumping stations which service major traffic underpasses and other public infrastructures, and 17 relief pumping stations in flood prone areas such as the Cities of Navotas and Malabon. Many pumping stations and appurtenant infrastructure were constructed several decades ago, containing old and inefficient pumps.

The Department of Public Works and Highways (DPWH) is mandated to undertake the planning of infrastructures, such as national roads and bridges, flood control, water resources projects, and other public works, and the design, construction, and maintenance of national roads and bridges, and major flood control systems. Historically, DPWH has been responsible for the design and construction of large pumping stations in Metro Manila.

On 09 July 2002, a Memorandum of Agreement (MOA) was entered into by the DPWH and MMDA to turn over to MMDA all functions and responsibilities for flood control in Metro Manila, including all relevant programs, projects, and activities as well as personnel, funds, equipment, facilities, records, assets, and liabilities. However, due to the limited resources of MMDA, DPWH continues to design and construct pumping stations within Metro Manila. In addition, some local government units (LGUs) also construct some small pumping stations.

The Batch 3 Pumping Stations consist of 11 pumping stations, and of these, 6 will undergo land acquisition and are the subject of this Right-of Way Acquisition Plan (ROWAP).

Table 1.1. List of Project-Affected Areas

Pumping Station	Barangay
Magsaysay	San Agustin
Artex	Panghulo
Balot	Hulong Duhat
Herrera	Ibaba
Merville-Dampalit	Dampalit
Concepcion	Concepcion

Source: DPWH

1.2. Project Location

This ROWAP covers 6 pumping stations, the location of which by barangay is shown in the table below.

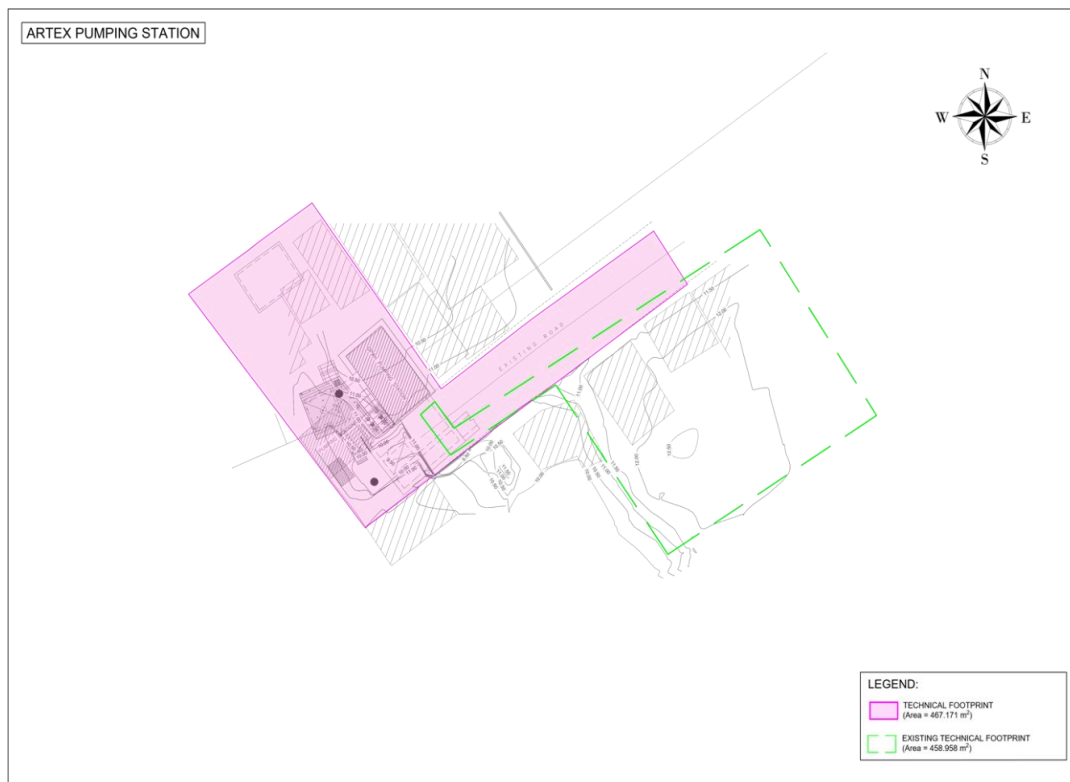
Table 1.2. List of Project Area

Pumping Station	Barangay
Magsaysay	San Agustin
Artex	Panghulo
Balot	Hulong Duhat
Herrera	Ibaba
Merville-Dampalit	Dampalit
Concepcion	Concepcion

Source: DPWH

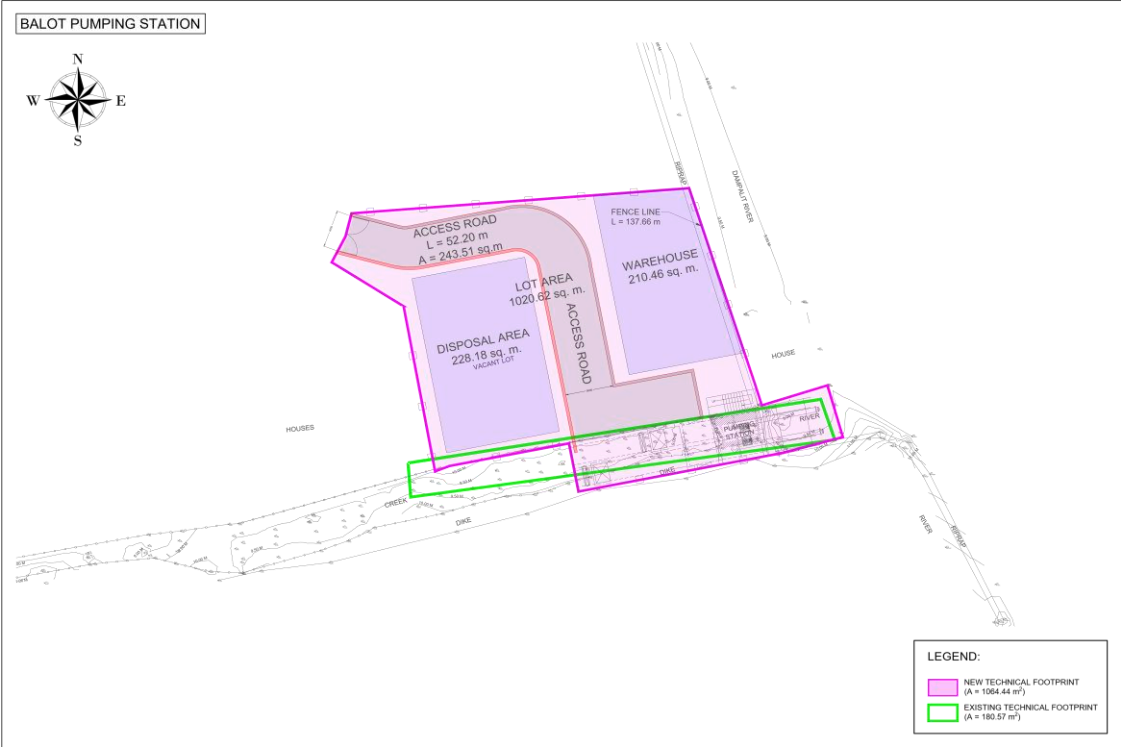
The study areas for Batch 3 Pumping Stations are distributed into 10 locations within Malabon City. The location maps of the 6 pumping stations covered by this ROWAP are presented in Figure 1.1 to Source: DPWH

Figure 1.6.



Source: DPWH

Figure 1.1. Artex Pumping Station, Barangay Panghulo



Source: DPWH

Figure 1.2. Balot Pumping Station, Barangay Hulong-Duhat



Source: DPWH

Figure 1.3. Concepcion Pumping Station, Barangay Concepcion



Source: DPWH

Figure 1.4. Herrera Pumping Station, Barangay Ibaba



Source: DPWH

Figure 1.5. Merville-Dampalit Pumping Station, Barangay Dampalit



Source: DPWH

Figure 1.6. Magsaysay Pumping Station, Barangay San Agustin

1.3. Project Objective

The objective of the study is to improve flood management in selected areas of Metro Manila. This is envisioned to be achieved through various means, including: (i) constructing new and modernizing existing pumping stations, and improving their supporting infrastructure and associated drainage systems, (ii) improving solid waste management practices within the vicinity of drainage systems served by the selected pumping stations, and (iii) supporting the resettlement of Project-Affected Families (PAFs), mostly Informal Settler Families (ISFs).

1.4. Project Components

The modernization of pumping stations will include an integrated set of interventions to modernize existing pumping stations up to a certain degree of its design capacity, among others, and construction of additional pumping stations to accommodate urban expansion, improve associated waterways and drainage systems, and, where feasible, increase short-term water retention capacity in the drainage areas.

The scope for Component 1 is divided into 3 sub-components to be conducted in parallel and in an iterative and interactive manner, namely:

- a. Upgrading/Modernization of Existing Pumping Stations;
- b. Construction of New Pumping Stations; and
- c. Clean-up of Related Waterways and Drainage Systems.

1.4.1. Upgrading/Modernization of Existing Pumping Stations

As part of the modernization program, pumps will be replaced with modern, more efficient, and higher capacity units. The design discharge of higher capacity units will be underpinned by hydrological studies of the drainage areas. Possible improvement to appurtenant infrastructure may be included, such as floodgates, trash rakes, change in needed energy source from diesel to electricity, etc.

1.4.2. Construction of New Pumping Stations

The construction of new pumping stations will be in the flood-prone areas around Metro Manila where the population has grown rapidly over the past 10-20 years. Each proposed site shall be investigated and studied comprehensively to determine whether a particular proposal is feasible and a priority for implementation.

1.4.3. Clean-up of Related Waterways and Drainage Systems

The cleaning and dredging of related waterways and drainage channels around the existing/proposed pumping stations will be conducted for smooth water inflow/outflow. There may be some limited expansion of the drainage system in a few drainage areas, which will also be designed and supervised as part of this component. This component also includes the procurement of additional specialized equipment for maintenance of waterways and drainage channel maintenance.

Land acquisition for pumping stations is necessary for the efficient, safe, and sustainable operation of pumping stations, as well as for minimizing disruptions to nearby communities. Hereunder are the key reasons:

1. Pumping stations are crucial components of drainage, and flood control systems. These stations require land to house the equipment and machinery that pump water, sewage, or other liquids.
2. Pumping stations need to be strategically placed to ensure efficient operation, often in areas near water bodies, drainage networks, or along pipelines. Acquiring land in these optimal locations is essential for the system's functionality.
3. Pumping stations often require sufficient land for not just the station itself, but also for maintenance areas, access roads, and possibly future expansions.
4. The land is often needed to create a buffer zone around the station to minimize the impact of noise, vibration, and emissions on surrounding communities and the environment.

In flood-prone areas, land is necessary to build pumping stations that help manage excess water and prevent flooding. Proper land acquisition ensures the system can handle the flow of water effectively.

1.5. Scope and Objectives of the Right-of-Way Acquisition Plan

This ROWAP is prepared for the 6 pumping stations that require land acquisition to optimize their operating capacity upon rehabilitation.

Surveys were conducted before preparing the ROWAP. These consisted of parcellary surveys, census and tagging, socio-economic surveys (SES), and replacement cost survey with detailed measurement survey (DMS). The purpose is to systematically gather data on the Project-Affected Persons' (PAPs) demographic, economic, tenurial and property ownership characteristics. The data is also needed in assessing their eligibility and in preparing entitlements package, which is reflected in the budget of resettlement implementation. Aside from the 3,961 sq. m. of land affected, there are 3 structures in Herrera Pumping Station, Brgy. Ibaba that will be affected. Based on the Resettlement Policy Framework (RPF), these affected main structures will be compensated at replacement cost.

The purpose of the ROWAP is to ensure that PAFs, who may be impacted by either permanent or temporary displacement, receive appropriate mitigation measures. Specifically, the ROWAP is prepared for the PAFs with legal rights to the land affected by the Project. The possible entitlements include compensation for land, structures, and other assets at replacement cost depending on eligibility. Additionally, the Plan provides necessary benefits and assistance to help PAFs maintain or improve their living conditions, ensuring they are better off or, at least, in the same situation as they were prior to the implementation of the Project.

During the survey and technical assessment, various measures were taken to limit the need for land acquisition. First, alternative routes and locations were thoroughly analyzed to identify options that would minimize impacts, particularly in densely populated areas. By leveraging existing infrastructure, such as roads and utility corridors, the project team sought to reduce the need for new land acquisition. The design of the pumping stations was also optimized to reduce their physical footprint, employing compact layouts and considering subsurface construction to minimize the amount of surface land needed. Additionally, social impact assessments played a crucial role in identifying and avoiding areas with significant informal settlers.

Public consultations were conducted with local communities and stakeholders to gather feedback and address concerns about potential land acquisition. This input was used to make further refinements to the Project's location and design.

Parcellary survey was conducted to provide detailed land use data, which helped pinpoint areas where land acquisition could be minimized or avoided altogether. These efforts collectively ensured that the Project would require the least amount of land necessary, balancing the needs of the infrastructure with minimal disruption to affected communities and the environment.

In general, the Resettlement Action Plan (RAP) applies for full or partial, permanent, or temporary physical displacement (relocation, loss of residential structures, or loss of shelters) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihood) resulting from project implementation.

This ROWAP delineates the scope of land acquisition, the nature of displacement and description of the socioeconomic characteristics of PAPs. Finally, it sets out the implementation schedule and provides indicative costs and budget estimates for its implementation, with the basis of the detailed engineering design prepared by the Project's technical team and parcellary survey to ascertain the location of the impacts.

1.6 Cut-Off Date

For those with structures located inside or within the Technical Footprint (TF) who are also landowners—whether through private ownership or under the Community Mortgage Program (CMP)—the compensation process will proceed upon the issuance of the Notice of Taking (NOT).

The affected individuals and families have been identified through a thorough process involving census, tagging, socio-economic surveys, and parcellary surveys. While the cut-off date is yet to be formally established, it has been announced to all Project-Affected Families/Persons (PAFs/PAPs) that the cut-off date is upon the issuance of NOT, in line with the Project's Resettlement Policy Framework (RPF) and the requirements of Operational Policy (OP) 4.12.

This ensures transparency and compliance with resettlement policies, emphasizing that any claims or structures established after the cut-off date will not be eligible for compensation or entitlements under the Project.

2. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS

2.1. Methodology and Approach

Information on land acquisition impacts was obtained through parcellary survey, census and tagging, SES, DMS, and replacement cost survey.

Parcellary Survey and Review of Technical Options. The DPWH Department Order (DO) No. 152, Series of 2017 emphasizes the importance of parcellary surveys in Right-of-Way (ROW) acquisition for infrastructure projects. These surveys help establish accurate property boundaries, determine the exact land area affected, and verify ownership through land titles or tax declarations. They also guide decisions on compensation, donation, or expropriation, ensuring the land acquisition process is legally sound and transparent. Coordination with property owners is key, and the survey results play a crucial role in preventing disputes, expediting project timelines, and ensuring fair treatment of affected parties.

Census of Affected Households. The census provides information on the scale and complexity of the required resettlement planning. It encompasses all people adversely affected by the Project, regardless of their legal status (landowner, tenant, informal settler, and indigenous people, if applicable). It aims to register the affected population by residence or locality and establish a list of legitimate beneficiaries before the Project's onset to counter spurious claims from those moving into the project area solely in anticipation of benefits. Questions for the census were integrated as a section in the SES questionnaire.

Socio-Economic Survey (SES). The survey aims at establishing baseline information on the demography, income and expenditure, occupation and livelihood, and other relevant social parameters among PAPs. The target of the SES is the PAPs within the Project's TFs that are not covered in the two approved RAP.

The survey data was disaggregated by gender and income to determine whether significantly affected PAPs are poor or otherwise vulnerable and require additional measures to ensure they are left with at least the same standard of living as their pre-project status (see Appendix 1 for Socio-Baseline Economic Survey Questionnaire and Appendix 2 for Meeting Documentation).

Detailed Measurement Survey (DMS). This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; shops; secondary structures, such as fences, tombs, wells; trees with a commercial value; etc.) and sources of income and livelihood inside the Project's ROW are identified, measured, their owners identified, and their exact location pinpointed. Additionally, the severity of the impact on the affected assets and on the livelihood and productive capacity of affected people was determined. This was conducted along with the parcellary mapping survey in September 2022.

Replacement Cost Study (RCS). This refers to the cost necessary to replace the structure or improvement affected by the Project's ROW with a similar asset based on current market prices, i.e., with no deduction for depreciation or damage to the original assets. Replacement costs for affected structures, trees, and other non-land assets were based on recent market prices. This survey was done by an Independent Property Appraiser (IPA) in September 2022.

Consultations. These were conducted with PAPs, LGUs, and other stakeholders from 2020 to 2023 to provide affected communities with a comprehensive understanding of the Project,

its benefits, types, and degree of adverse project effects, and the mitigating measures that the proponent will adopt (see Chapter V and Appendix 2 for details on consultations).

Land Acquisition. This shall observe the principles laid out in the Republic Act (RA) No. 10752, the ROW Acquisition Act and its Implementing Rules and Regulations (IRR). Guidance concerning documentary requirements for land acquisition shall emanate through coordinative efforts of LGU and DPWH.

The Unified Project Management Office (UPMO) ROW Team assists the PAFs in drafting the extrajudicial settlements, supports them in notarial requirements, including reproduction of documents and provision of transportation. The UPMO also serves as their representative in coordinating with the government agencies such as the Register of Deeds, Department of Agrarian Reform (DAR), and Department of Environment and Natural Resources (DENR).

2.2. Project Impacts

This ROWAP covers 6 pumping stations as shown in Table 1.2. The total land area to be affected by the project is 3,961 sq.m., owned by 2 Project-Affected Entities (PAEs) and 5 PAFs. In this land, there are 3 PAFs who also owned the structures that require relocation and demolition.

Table 2.1. Summary of Impacts

No	Impact	Extent / Number		Features
0	Total Affected Land	3,961 sq. m.		<ul style="list-style-type: none"> Table 1.1. List of Project-Affected Areas
1	Public Land	2,370 sq. m.	2 PAEs/ 4 Lots	<ul style="list-style-type: none"> Concepcion Pumping Station in Brgy. Concepcion, and Merville-Dampalit Pumping Station, Brgy. Dampalit, Malabon City Owned by DPWH as mentioned in the discussions regarding the affected land
2	Private Land	1,591 sqm	23 PAHs*/ 9 Lots	<p>Artex Pumping Station in Brgy. Panghulo, Balot Pumping Station in Brgy. Hulong-Duhad, Herrera Pumping Station in Brgy. Ibaba, and Magsaysay Pumping Station in Brgy. San Agustin, all are located in Malabon City</p> <p>There are 3 CMP** properties located at Magsaysay Pumping Station in Brgy. San Agustin and Herrera Pumping Station in Brgy. Ibaba, Malabon City.</p>
3	Temporary Land Acquisition	None		
4	Project-Affected Families (PAFs)	5 PAFs		<ul style="list-style-type: none"> Table 1. Artex Pumping Station (1) in Brgy. Panghulo, Balot Pumping Station (1) in Brgy. Hulong-Duhad, Herrera Pumping Station (3) in Brgy. Ibaba, all in Malabon City.
5	Physically Displaced	3 PAFs		Herrera Pumping Station in Brgy. Ibaba, Malabon City

	Households (residential)		
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*PAH means Project-Affected Household

**CMP means Community Mortgage Program

Source: DPWH

Malabon City Land Use

Malabon City has a land area of 1,571.40 has. According to the 2014-2020 Land Use Plan of Malabon City per Municipal Ordinance No. 07-004, majority of the land is used as residential (38.01%), industrial (32.90%), commercial (19.45%), while others are institutional (6.32%), agricultural/fishpond (1.27%), burial purposes (1.12%), and as open space (0.93%).

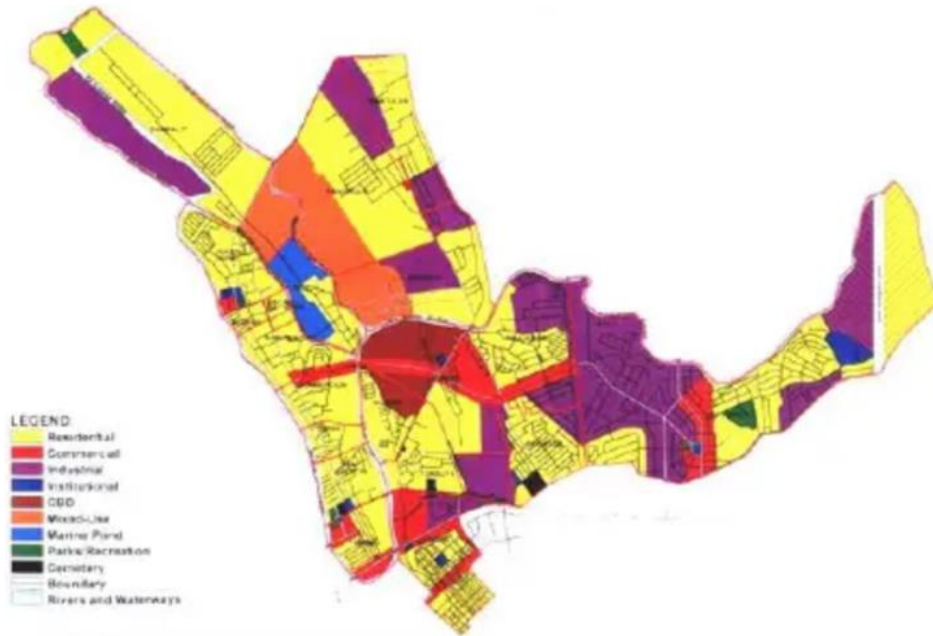
Of the 1,571.40 hectares of total land area in Malabon City, only 0.40 hectares (0.03%) are directly affected by the Project, as shown in Table 2.4. This impacted area includes 0.24 hectares of government land and 0.16 hectares of private land. Government land use in Malabon City accounts for 6.31% of the total land area, with a small fraction (0.02%) of this designated space being impacted by the Project. Furthermore, 38.01% of Malabon City's land area is allocated for residential use, yet only a minimal 0.03% of this residential area will be affected.

The limited impact—only 0.03% of Malabon's total land area—suggests that the project footprint is quite small in relation to the City's overall land resources. The minimal area of government and residential land affected, coupled with the larger proportion of the City reserved for residential and institutional purposes, indicates that the Project's effects on community spaces and housing should be manageable. By prioritizing land that minimizes disruptions to densely populated or critical areas, the Project appears to be carefully planned to avoid significant displacement or alteration to the City's primary land uses. This strategy helps ensure that the broader community impact is minimized while accommodating necessary development.

Table 2.2. Malabon City Land Use, 2014-2020 (in hectares)

Use	Area	Percentage
Residential	597.29	38.01%
Commercial	305.64	19.45%
Industrial	516.99	32.90%
Institutional	99.19	6.31%
Agricultural/Fishpond	20.00	1.27%
Open Space	14.62	0.93%
Cemetery	17.67	1.12%
Total	1,571.40	100%

Source: Malabon City Land Use Plan 2014-2020



Source: Malabon City Land Use Plan 2014-2020

Figure 2.1. Malabon City Land Use Map

Affected Land

Of the total ROW to be acquired (3,961 sq.m.), about 2,370 sq.m. (59.83%) are government-owned lands, while 1,591 sq.m. are private lands (40.17%). Those that occupy government land are Concepcion and Merville-Dampalit Pumping Stations. The land for Merville-Dampalit Pumping Station is owned by the DPWH Flood Control KAMANAVA Office per Tax Declaration gathered (please see Annex 12 – Copy of Tax Declaration for Merville-Dampalit Pumping Station). For Concepcion Pumping Station, the government entity is still being determined as the title is named Republic of the Philippines only. This was already coordinated to the Barangay to determine what government agency owned the area, but it is still unidentified.

The ROW on private lands is allocated among 4 pumping stations, with the following distribution of land area: Herrera is 2.90%, Artex is 5.48%, Balot has the largest area at 25.73%, and Magsaysay is 6.06%.

Table 2.3. Affected Land for Acquisition, 2023

Pumping Station	Barangay	Affected Land (sq.m.)					
		Private		Government		Total	
		sq.m	%	sq.m	%	sq.m	%
Herrera	Ibaba	115	2.90%			115	2.90%
Artex	Panghulo	217	5.48%			217	5.48%
Balot	Hulong-Duhāt	1,019	25.73%			1,019	25.73%
Magsaysay	San Agustin	240	6.06%			240	6.06%
Concepcion	Concepcion			1,611	40.67%	1,611	40.67%
Merville-Dampalit	Dampalit			759	19.16%	759	19.16%
Total		1,591	40.17%	2,370	59.83%	3,961	100.00%

Source: DPWH

a. Public Land

Of the total affected area of 3,961 sq.m., 2,370 sq.m. are public lands, primarily associated with the Concepcion and Merville-Dampalit Pumping Stations, both owned by the DPWH. The public land constitutes a substantial portion of the project area, indicating the Project's reliance on government-owned sites for infrastructure development.

b. Private Lands

b.1. Private Individuals

The total private land to be affected is 1,591 sq.m., and of which, 1,236 sq.m is owned by private individuals, while 355 sq.m. is under CMP as shown in Table 2.4.

The 1,236 sq.m. private lots for acquisition under the ROWAP are located at Artex Pumping Station (217 sq.m.) in Brgy. Panghulo and at Balot Pumping Station (1,019 sq.m.) in Brgy. Hulong-Duhāt.

b.2. Community Mortgage Program (CMP)

The CMP, managed by the Social Housing Finance Corporation (SHFC) in the Philippines, is a financing initiative designed to assist low-income communities in acquiring and securing land tenure. Through this program, organized community associations (like homeowners' associations) can collectively apply for loans to purchase the land they occupy or intend to occupy. This program enables informal settlers and low-income households to have a pathway to formal land ownership and housing security.

The CMP's structure empowers residents through active participation in the planning, decision-making, and maintenance of their community, fostering a strong sense of ownership. By focusing on low-income groups, the CMP specifically targets marginalized households vulnerable to eviction or displacement, providing them with a structured and secured means to achieve legal land tenure and access to basic

services. The program has reduced informal settlements and empowered communities across the Philippines by providing them with the stability and formal recognition necessary for long-term community development.

A total of 355 sq.m. private lots are registered in the name of the Samahan Balikatan Matadero Beacum Magsaysay Homeowners Association and the People's Homesite and Housing Corporation, located in Magsaysay Pumping Station, Brgy. San Agustin, and the SAMAGA Homeowners Association, Inc., located in Herrera Pumping Station, Brgy. Ibaba. 7 out of 9 lots are under the CMP and of these, 2 lots that are not yet subdivided are located in Magsaysay Pumping Station, while 5 lots in Herrera Pumping Station are already subdivided. Among the subdivided lots, 2 are designated as roads, while 3 have existing structures.

For this Project, there are a total of 23 PAFs, wherein 21 out of 23 PAFs are associated with the CMP properties: 18 are covered in Magsaysay Pumping Station RAP, and 3 are from Herrera Pumping Station who are also structure owners. The remaining 2 PAFs are from Artex (1) and Balot (1) Pumping Stations, who are landowners and live far from the affected areas. The said PAFs from Herrera, Artex, and Balot Pumping Station are covered by this ROWAP.

Table 2.4. Affected Land and Severity (in square meters)

Pumping Station	Barangay	Land Owners	Lot No.	Affected Land (sq.m.)						Additional Land for Land Acquisition	Impacts	Land Acquisition	Severity of Impacts
				Private			Government						
				Total Land Area	Affected Area	Remaining	Total Land Area	Affected Area	Remaining				
Artex	Panghulo	Florante Caedo	L1 B5	217.00	217.00	-					100.00%	217.00	severe
Balot	Hulong-Duhat	Andres Gabriel	L1-A-1 (8997)	8,282.00	1,019.00	7,263.00					12.30%	1,019.00	marginal
Concepcion	Concepcion	Republic of the Philippines	L4 B14				6,024.00	1,611.00	4,413.00		26.74%	1,611.00	severe
Herrera	Ibaba	SAMAGA homeowners Association, Inc.	ALLEY 5	129.00	14.00	115.00					10.85%	14.00	marginal
			L19 B2	25.00	25.00	-					100.00%	25.00	severe
			L18 B2	25.00	10.00	15.00				15.00	40.00%	25.00	severe
			L21 B2	46.00	22.00	24.00				24.00	47.83%	46.00	severe
			ROAD 1	253.00	5.00	248.00					1.98%	5.00	marginal
Magsaysay	San Agustin	Samahan Matadero Beacum Magsaysay Homeowners Association	L4 B14	3,589.00	178.00	3,411.00					4.96%	178.00	marginal
		People Homesite and Housing Corporation	L 6877	4,161.00	62.00	4,099.00					1.49%	62.00	marginal

*Metro Manila Flood Management Project
Batch 3 Pumping Stations Right-of-Way Acquisition Plan*

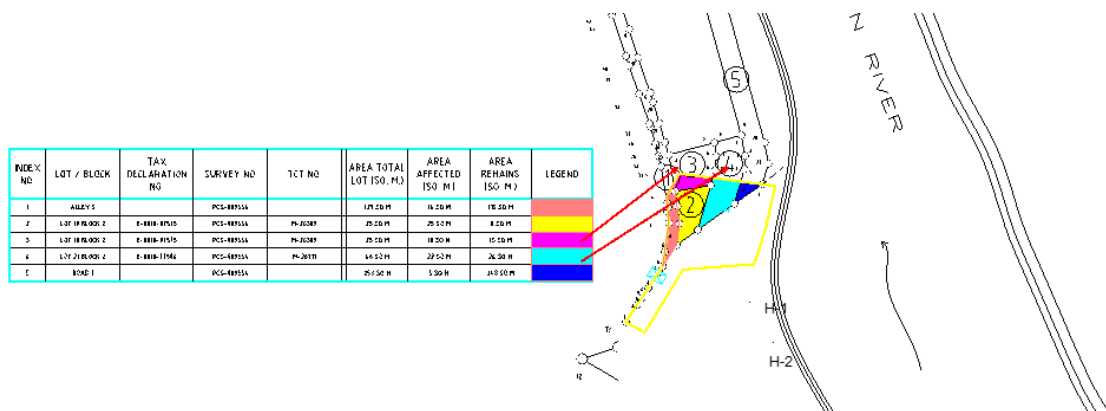
Merville-Dampalit	Dampalit	Republic of the Philippines	L13B15				253.00	253.00	-		100.00%	253.00	severe
			L14 B15				253.00	253.00	-		100.00%	253.00	severe
			L15 B15				253.00	253.00	-		100.00%	253.00	severe
Total				16,727.00	1,552.00	15,175.00	6,783.00	2,370.00	4,413.00	39.00		3,961.00	

Source: DPWH

With the land viability assessment undertaken, the total ROW to be acquired is 3,961 sq.m. On top of the 3,922 sq.m. directly occupied by all 6 pumping stations, an additional 39 sq.m. (2 lots) in Herrera Pumping Station (Brgy. Ibaba) have to be acquired.

The 39 sq.m. remaining area of 2 lots in Herrera Pumping Station is found not viable, if not acquired, on their own for the construction of new structures. The Lot 18 Block 2 with Transfer Certificate Title (TCT) No. M-26309 and the Lot 21 Block 2 with TCT No. M-26311 were divided into two (2) parcels, where the other portions will have irregularly shaped lots, and the remaining area will no longer be viable for any construction development. Irregularly shaped lots refer to lots that are neither square, triangular, nor rectangular. It may be difficult to develop due to the uneven angles, fencing can be challenging and costly, difficulty to maintain property lines, and the overall value may suffer due to buyers shying away from such lots.

Based on the criteria for severity used by DPWH, i.e., more than 20% of the land will be acquired as ROW, land acquisition is considered "severe" for 3 out of 6 pumping stations. In Artex, Herrera, and Merville-Dampalit Pumping Stations, ROW acquisition will cover 50-100% of the lands occupied by these structures.



Source: DPWH

Figure 2.2. Affected Lots in Herrera Pumping Station, Brgy. Ibaba

Affected Structures

There are only 3 structures occupied by 3 PAFs located in Herrera Pumping Station, Brgy. Ibaba. The affected structures consist of one 1-storey residential house and two 2-storey residential houses. The average area of affected structures is 47.25 sq.m. For these affected structures, the structure owners did not choose the assisted relocation to a government resettlement site. As communicated during the surveys and consultations, the structure owners will utilize the compensation for land and structures to look for land and rebuild their houses. The table below shows the reference numbers of the 3 affected structures, the area occupied by the structure, and estimated replacement cost for each structure.

Table 2.5. Structure Type, Owner, and Severity of Impacts

Map Ref. No.	Area	Total Replacement Cost	Unit Cost	Description
006	93.44	239,399.95	2,562.07	Two-Storey Residential House
007	36	304,509.50	8,458.60	Two-Storey Residential House
008	12.30	93,114.41	7,570.28	One-Storey Residential House

TOTAL REPLACEMENT COST FOR HERRERA (Including Demolition Works) = ₱637,024

Source: DPWH

Affected Trees and Crops

There are no affected trees and crops in the area.

3. SOCIOECONOMIC DESCRIPTION OF PROJECT-AFFECTED PERSONS

This chapter briefly describes the socio-economic profile of PAPs, consisting of landowners and structure owners.

3.1. Objectives

The SES will be the basis for determining eligibility for compensation and other assistance for the PAPs per RPF. It is also a means for monitoring the effectiveness in mitigating the impacts of resettlement.

3.2. Method

Data was gathered through a survey of the affected households using a structured questionnaire. Data was disaggregated by sex to determine the differences between men and women, among the affected population.

3.3. Cut-off Date

The cut-off date for the survey is determined by the landowners' receipt of the NOT, in accordance with the DPWH ROW Acquisition Manual (2017). This date also applies to structure owners, particularly since 3 structure owners are also landowners. It is important to note that there are no ISFs included in this Plan, as they have been addressed in RAP for Magsaysay Pumping Station.

3.4. Overview of the Project Affected Families

There are 2 types of landowners under this ROWAP: private landowners and those under the CMP of SHFC.

For the land acquisition for Balot and Artex Pumping Stations, it involves 2 landowners, both do not reside at the pumping station sites. The landowner of lot at Balot Pumping Station resides in Brgy. Hulong Duhat, Malabon City, near the local market. The land designated for the pumping station, as shown in Figure 1.2, is a vacant lot currently being used informally for parking and is free of illegal settlers. Meanwhile, the landowner of lot at Artex Pumping Station resides in Laloma, Quezon City. During a recent meeting, it was noted that this landowner was a renowned national artist in the field of sculpture.

The land acquisition for Magsaysay and Herrera Pumping Stations involves 2 SHFC-CMP projects, each associated with different Homeowners Associations (HOAs). The profiles of these PAFs are documented within the approved RAPs. However, 3 specific structures are affected, located at Herrera Pumping Station. These structures are as follows:

- a. The structure, owned by the Sadiasa Family, is divided into sections and occupied by 6 families. Of these 6 families, 5 were already relocated under batches 5 and 6, while the remaining family is scheduled for relocation on November 28, 2024.

The family, who has lived in the area for 65 years, consists of elderly parents who are legally married and own the property, along with younger adult family members aged 26 to 49, most of whom are in common-law relationships. Within the household, there is an economic divide: 4 members have stable incomes that place them above the poverty and food thresholds, while 2 members earn less than these benchmarks,

potentially qualifying them for additional social support. The family's long-term residence and generational ties highlight their strong connection to the community, with varying financial needs and responsibilities across different family members.



Source: DPWH

Figure 3.1. Structures Affected 1, 93.40 sq.m. affected, severe

- b. Despite multiple attempts to gather information from the owner of this structure, no interviews were conducted, as no one was available during the visits. According to the neighbors, the occupants work outside the city, leaving early in the morning and returning late at night, which has made it challenging to obtain the necessary information.



Source: DPWH

Figure 3.2. Structures Affected 2, 36 sq.m. affected, severe

- c. The structure owner, as shown in Figure 3.3, does not reside in the area where the pumping station is located. This structure consists of 3 rental units, previously occupied by families who were already relocated at St. Gregory, Brgy. Panghulo, Malabon City. The impact on this structure is limited on the front column, but once the construction is complete and the pumping station is fenced, the structure will effectively become landlocked, with no access or passage available for the renters to reach their units.

The 3 families have rented their units for 6 years; 2 of the families are legally married, while the third is in a common-law relationship. Each family earns an income above the poverty and food thresholds, indicating a level of financial stability across all households.



Source: DPWH

Figure 3.3 Structures Affected 3, 12.30 sq.m. affected, severe

4. LEGAL FRAMEWORK AND POLICY ON RESETTLEMENT AND RELOCATION

This chapter describes all relevant national and local laws and regulations that apply to resettlement, and identifies the gaps between these and the World Bank policy requirements and measures to mitigate the gaps. This ROWAP follows the Project's RPF and is compliant with the requirements of World Bank's Operational Policy (OP) 4.12.

4.1. Philippine Laws

4.1.1. The 1987 Philippine Constitution

The 1987 Philippine Constitution serves as the basic legal foundation of resettlement policies governing the following:

- i. Article II, Section 10 states that, "The State shall promote social justice in all phases of development."
- ii. Article II, Section 11 states that, "The State values the dignity of every human person and guarantees full respect for human rights."
- iii. Article III, Section 1 states that, "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."
- iv. Article III, Section 9 states that, "Private property shall not be taken for public use without just compensation."
- v. Article XIII, Section 10 states that, "Urban or rural poor dwellers shall not be evicted, nor their dwellings demolished, except in accordance with law and in a just and humane manner. No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated."

4.1.2. RA 7279 - Urban and Development Housing Act (UDHA) of 1992

This Act intends to provide a comprehensive and continuing Urban Development and Housing Program which shall uplift the conditions of the underprivileged and homeless citizens in urban areas and provide for their humane relocation and resettlement.

Specifically, the following sections of UDHA applies to this ROWAP:

- i. Section 8, Identification of Sites for Socialized Housing – The LGUs, in coordination with National Housing Authority (NHA), the National Mapping Resource Information Authority (NAMRIA), and the Land Management Bureau (LMB), shall identify lands for socialized housing and resettlement areas for the immediate and future needs of the underprivileged and homeless in the urban areas, taking into consideration the degree of availability of basic services and facilities, their accessibility and proximity to job sites and other economic opportunities, and the actual number of registered beneficiaries.
- ii. Section 21, Basic Services – Socialized housing or resettlement areas shall be provided by the LGU or NHA in cooperation with the private developers and concerned agencies with basic services and facilities, such as potable water, power and electrical supply, sewerage facilities and solid waste disposal system, and access to primary roads and transportation facilities. Other basic services and facilities such as health, education, communications, security, recreation, relief, and welfare shall be planned and shall be given priority for implementation.

- iii. Section 22, Livelihood Component – To the extent feasible, socialized housing and resettlement projects shall be located near areas where employment opportunities are accessible, and government livelihood programs shall give priority to the beneficiaries of resettlement projects.
- iv. Section 23, Participation of Beneficiaries – The LGUs, in coordination with the Presidential Commission for the Urban Poor (PCUP) and concerned government and non-government agencies, shall afford PAFs or their duly designated representatives an opportunity to be heard and participate in the decision-making process for the protection and promotion of their legitimate collective interests which shall include appropriate documentation and feedback mechanism. They are encouraged to organize themselves into groups or form alliances to undertake self-help cooperative housing and other livelihood activities. In instances when the affected beneficiaries have failed to organize themselves or form an alliance within a reasonable period prior to the implementation of the program or projects affecting them, consultation between the implementing agency and the affected beneficiaries shall be conducted with the assistance of PCUP.
- v. Section 27, Action Against Professional Squatters and Squatting Syndicates – Any person or group identified as professional squatters and/or squatting syndicates shall be summarily evicted and their dwellings or structures demolished and shall be disqualified to avail the benefits of the Project. A public official who tolerates or abets the commission of the abovementioned acts shall be dealt with in accordance with existing laws.
- vi. Section 28, Eviction and Demolition – Eviction or demolition as a practice shall be discouraged, except under the following situations: (a) when persons or entities occupy danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and other public places such as sidewalks, roads, parks, and playgrounds; (b) when government infrastructure projects with available funding are about to be implemented; or (c) when there is a court order for eviction and demolition.
- vii. Section 29, Resettlement – The LGUs, in coordination with NHA, shall implement the relocation and resettlement of persons living in danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and in other public places such as sidewalks, roads, parks, and playgrounds. Relocation or resettlement sites shall have basic services and facilities and access to employment and livelihood opportunities sufficient to meet the basic needs of the affected families.

4.1.3. RA 10752 – An Act Facilitating the Acquisition of ROW Site or Location for National Government Infrastructure Projects (2016)

Known as the “ROW Act of 2016,” this law provides a clear and simplified ROW acquisition process which benefits both the property owners/PAFs and implementing agencies. It provides for the compensation of structures and improvements, crops, and trees based on current market value. It also provides for the compensation of structures and improvements of owners who do not have legally recognized right to the land and who meet all of the following criteria: (a) must be a Filipino citizen; (b) must not own any real property or any other housing facility, whether in an urban or rural area; and (c) must not be a professional squatter or a member of a squatting syndicate, as defined in RA 7279, otherwise known as the “UDHA of 1992”.

4.1.4. RA 9729 – Climate Change Act of 2009

The law prescribes the mainstreaming of climate change, in synergy with disaster risk reduction, into the national, sectoral, and local development plans and programs. LGUs have been assigned to lead the formulation, planning, and implementation of climate change action plans in their respective areas, and to consider climate change adaptation and disaster risk reduction and response as included in their regular functions.

4.1.5 RA 10121 – Disaster Risk Reduction and Management Act

The Act recognizes and strengthens the capacities of LGUs and communities in mitigating and preparing for, responding to, and recovering from the impact of disasters. It also applies in the formulation of housing and resettlement plans by the LGUs and requires that resettlement areas are designed to be adapting to climate change and community systems, allowing for disaster risk reduction and response.

4.1.6 RA 8368 – Anti-Squatting Law Repeal Act of 1997

This Act repealed Presidential Decree No. 772, which penalizes squatting and similar acts, as a measure of social justice and shields informal settlers from criminal liability. All pending cases under said Decree were dismissed upon effectivity of this law. However, this Act should not in any way nullify or eliminate Section 27 of the UDHA which provides sanctions against professional squatters and squatting syndicates.

4.2. Executive Orders (EO), Administrative Orders, Department Orders (DO), and Memoranda Circular (MC)

4.2.1. DPWH Special Order (SO) No.1, Series of 2017

In line with the issuance of DO 203 s. 2016, this Order regarding composition of UPMO ROW Task Force was issued. Recognizing that implementation of urgent national roads, bridges, and various flood control projects are hampered by the delay in the ROW acquisition, a Task Force on UPMO ROW and Technical Working Group (TWG) are created. The Task Force will be headed by the Undersecretary for UPMO Operations and the Vice Chairman Director of Legal Service. The DO also defines the functions of the UPMO Task Force and TWG and provides the process for the payment of valid claims, submission of documents, records-keeping, and signing authority.

The functions of the ROW Task Force are to: (i) organize a TWG for each UPMO Cluster that will handle ROW acquisition for projects, to be headed by the assigned Project Manager; (ii) monitor the ROW acquisition; (iii) execute and recommend appropriate resolutions pertaining to ROW payment; and (iv) review the validation of support undertaken by its TWG.

4.2.2 DPWH DO 119, Series of 2017

This is the re-issuance of DO 203 s. 2016 and stipulates function and responsibilities of a Task Force and a TWG on ROW land acquisition. The function and responsibilities of the Task Force and TWG are not changed, but the payment method is modified i.e. the payment of ROW claims shall be made by the Central Office.

4.2.3 DPWH DO 152, Series of 2017

This is the re-issuance of DO 124 s. 2017, directing the use of the DPWH ROW Acquisition Manual (DRAM), to provide a clear, uniform, and user-friendly guide on the rules and procedures for the acquisition by the DPWH of ROW for its infrastructure projects, in accordance with the provisions of RA 10752 (ROW Act) and its IRR, in order to achieve a more effective and expeditious implementation of the projects.

4.2.4 DPWH DO 65, Series of 2017

As part of the continuing effort of DPWH to streamline its operations, decentralize, and rationalize the ROW operations, DO 19 s. 2017 was re-issued, essentially delegating to regional directors the approval/signing of documents pertaining to Infrastructure ROW (IROW) for national projects, including the approval for payments of claims and signing of checks. The DO also reiterates that the ROW functions are delegated, and a system of deploying ROW Task Force, UPMO ROW activities, and their approving authorities shall continue to be governed by DO 203 s. 2016, and SO 1 s. 2017. This Order also supersedes DOs 19 (s. 2017), 156 (s. 2016), 133 and 133-A (s. 2014), 24 (s. 2007), 327 (s. 2003), and all other inconsistent DOs and policies.

The Order defines the scope and delegation of the ROW functions and provides for the creation and composition of ROW Task Force. The ROW Task Force is also mandated to engage in inter-agency coordination and consultation, and recommend to the appropriate authority, appropriate measures to address ROW problem areas which lie outside the authority of any member of the ROW Task Force. It is also tasked to advise and recommend to the Undersecretary of Planning and Public-Private Partnership (PPP) the budgetary matters for purposes of submitting accurate, complete, and informed budget requests to the Department of Budget and Management (DBM), and for other budgetary planning objectives.

4.2.5. DPWH DO 130, Series of 2017 or the DPWH DRAM Main Guidelines

This provides the guidelines for the implementation of the provisions of RA 6685 and RA 9710 (Magna Carta of Women). The IRR mandates the contractors to hire a minimum percentage of 50% of unskilled and 30% skilled human resources requirement from the unemployed bona fide residents of the locality and shall be equally accessible to both women and men.

4.2.6. NHA MC 2427, Series of 2012

As enabler and facilitator in the housing delivery process under RA 7279, NHA issued the revised guidelines for the implementation of the resettlement assistance program for LGUs, designed to enhance the capabilities of LGUs outside Metro Manila to provide housing for informal settlers requiring relocation and resettlement. Target beneficiaries include displaced families or to be displaced from sites earmarked for government infrastructure projects. As partners of the program, NHA will (i) provide technical assistance to LGUs in preparing project plans and formulating policies and guidelines in implementing resettlement projects, and (ii) contribute funds (in the form of grants) for the development of resettlement sites. The LGUs, on the other hand, shall (i) contribute land for the project, and (ii) be the lead project implementer with overall responsibility for the operation and management of the resettlement project to include preparation of overall project plans, site development and housing plans, beneficiary selection, relocation of families, and estate management.

4.2.7. EO 708, Series of 2008

This Order amended EO 152 s. 2002 and devolved the functions of the PCUP as the clearing house for the conduct of demolition and eviction activities involving the homeless and underprivileged citizens to the LGUs, with PCUP retaining its monitoring and reporting units (Section 1, Sub-section 4 and 11). On 02 May 2012, based on EO 708, the Department of the Interior and Local Government (DILG) issued a letter requesting PCUP to preside the Pre-Demolition Conference (PDC) prior to the provision of police assistance from the Philippine National Police (PNP) in demolition and/or eviction activities affecting the underprivileged and homeless. The PDC aims to prevent, and if not, to stop the hostility and violence arising from the demolition and/or eviction of underprivileged and homeless citizens and safeguard from hostility and violence, not only the affected underprivileged and homeless citizens, but also the representatives of government agencies and police personnel who are likewise involved in the demolition and/or eviction.

4.2.8. DILG MC 2009-05 (from the amended DILG MC 2008-143)

This policy requires the proponents of evictions or demolitions to attest that all necessary steps have been taken before the issuance of an Eviction and Demolition Certificate of Compliance (COC). The Local Housing Board (LHB) will act as the LGU's sole clearing house for eviction and demolition activities concerning informal settlers in danger areas, public places, and government projects. It will monitor all evictions and demolitions, whether voluntary, extrajudicial, summary, or court ordered. In cases where there is no LHB, a Local Inter-Agency Committee (LIAC) can issue the COC.

4.2.9. DPWH Land Acquisition, Resettlement, Rehabilitation, and Indigenous People's Policy (LARRIPP)

The LARRIPP spells out the legal framework and donors' policies governing instances when infrastructure projects are implemented by the DPWH because of the involuntary taking of land, structures, crops, and other assets resulting in some cases in the displacement and resettlement of affected persons. The LARRIPP enumerates entitlements and benefits that the Affected Families (AFs) or Affected Persons (APs) should rightfully receive under the law based on the Project's adverse impacts on their assets, livelihood, and lives. It expounds on safeguards to be followed based on Philippine law when these affected persons are Indigenous People (IP) living inside and outside an officially declared ancestral domain. Finally, the LARRIPP delineates the institutional framework for the implementation of the policy and provides mechanisms, both internal and external to the DPWH, for monitoring and evaluating the impact of safeguard measures (e.g., Resettlement Plan, IP's Action Plan). It also contains the Department's IP's Policy, based on the IP's Rights Act (IPRA) and the National Commission on Indigenous Peoples (NCIP) Administrative Order No. 1 s. 2006 (Free and Prior Informed Consent Guidelines of 2006). Revised in 2007, the LARRIP is one of the legal references which governed the procedures in land acquisition and ROW management stipulated in the DRAM issued in 2017.

4.2.10. DPWH DO 34, Series of 2007

Streamlining and standardizing its operating procedures, DPWH issued the DO to simplify the guidelines for the validation and evaluation of IROW claims. The Guideline is in line with the provisions of the DPWH IROW Procedural Manual adopted under DO 5 s. 2003, as amended, particularly in the validation and evaluation of claims for IROW acquisitions.

4.2.11. DPWH DO 5, Series of 2003

This was issued to identify, acquire, and manage ROW efficiently and in a timely manner for the implementation of infrastructure projects. An improved IROW process was adopted and the DO provides that (i) it shall be applicable to all foreign-assisted and locally-funded projects, (ii) the Implementing Office (IO) shall ensure that IROW costs are always included in project budgets, and (iii) all ROW must be fully acquired and cleared before the issuance of the Notice of Award (NOA) for the project. It also requires determining the PAFs and the project-affected improvements based on the cut-off date, which will be the start of the census.

4.2.12. DPWH DO 245, Series of 2003

It provides the use and implementation of the DPWH – Social and Environmental Management System (SEMS) Operations Manual, with reference to Section 7.6. Mitigating Social Impacts.

4.2.13. DPWH DO 327, Series of 2003

This is the Guidelines for Land Acquisition Plan and Resettlement Action Plans (LAPRAPs) for infrastructure projects, in accordance with DO 5 s. 2003 which states that “all projects, whether local or foreign-funded projects that will require ROW acquisitions, will have their respective LAPRAPs formulated.” The LAPRAPs will be the basis of qualifying and compensating PAPs for lands, structures, and/or improvements affected by the infrastructure projects. The LAPRAPs shall also include the acquisition, planning, and development of resettlement sites with the responsibility resting mainly with the concerned LGUs, the Housing and Urban Development Coordinating Council (HUDCC), NHA, and other concerned agencies.

4.2.14. EO 20, Series of 2001

This Order reaffirms mass housing as a centerpiece program in the poverty alleviation efforts of the government. The Section 7. Special Provision states that all government departments, agencies, bureaus, and instrumentalities, including government-owned and controlled corporations implementing housing projects are directed to seek the clearance and approval of the HUDCC Chairman on their respective housing and other related projects. In the advent of RA 11201 creating the Department of Human Settlements and Urban Development (DHSUD), such a mandate has been transferred from HUDCC to DHSUD.

4.2.15. EO 6, Series of 2016

This Order institutionalized the 8888 Citizens’ Complaint Hotline Number which shall serve as a mechanism where citizens may report their grievances and complaints on acts of red tape and corruption of any national government agency and other instrumentalities of the government. In addition to the telephone hotline, it provides other communication channels such as short message service/text access, electronic mail, website/webpage, and social media.

4.3. Other Laws Guiding the Implementation of Involuntary Resettlement

4.3.1. RA 8972 or The Solo Parent’s Welfare Act

It provides benefits and privileges to solo parents and their children and aims to develop a comprehensive package of social development and welfare services for solo parents and their children, to be carried out by the Department of Social Welfare and Development (DSWD), as

the lead agency, and various government agencies, including Philippine Statistics Authority (PSA) and other related non-government organizations (NGOs).

4.3.2. RA 7277 and Its Amendment, RA 9442

Known as the Magna Carta for Disabled Persons, it provides for the rehabilitation, self-development, and self-reliance of disabled persons and their integration into the mainstream of society and for other purposes.

4.3.3. RA 9710

The Magna Carta for Women and its IRR aims to eliminate all forms of discrimination against women and inequality in the economic, political, social, and cultural life of men and women through plans, policies, and programs.

4.3.4. RA 10821 or the Children's Emergency Relief and Protection Act

This requires the NHA, in coordination with DSWD, DENR, DPWH, DILG and LGUs of the areas declared under a state of calamity, to immediately establish an option for transitional shelters, prioritizing vulnerable and marginalized groups, including orphaned, separated, and unaccompanied children, and pregnant and lactating mothers.

4.3.5. RA 6685 (1988)

This Act requires private contractors who are awarded national or local projects to hire at least fifty percent (50%) of the unskilled and at least thirty percent (30%) of the skilled labor requirements from the available bona fide residents of the province, city, or municipality where the projects are to be undertaken.

4.3.6. Batas Pambansa Bilang 344

It requires certain buildings, institutions, establishments, and public utilities to install facilities and other devices to enhance the mobility of disabled persons.

4.3.7. RA 7432 (1992) and Its Amendment, RA 9994

An Act that aims to maximize the contribution of senior citizens to nation building, grant benefits and special privileges, and for other purposes, provides the privileges for senior citizens such as grant of 20% discount from all establishments relative to the utilization of transportation services, hotels and similar lodging establishments, restaurants and recreation centers, and purchase of medicine anywhere in the country.

4.4. Analysis of Gaps between Philippine Laws and Policies and World Bank's OP 4.12

This section presents an analysis of the gaps between the national laws and OP 4.12 as they apply to Batch 3 Pumping Stations PAPs and the proposed measures to fill the gaps. In cases where gaps or differences are found between Philippine laws and regulations and requirements of the World Bank OP 4.12, the higher standard will prevail.

*Metro Manila Flood Management Project
Batch 3 Pumping Stations Right-of-Way Acquisition Plan*

This ROWAP is governed by the provisions of RPF of this Project and part and covenants under the Loan Agreement. All terms and agreements under this document supersede local or national policies of the Philippine government.

The differences between the Philippine laws, policies, and regulations, and World Bank's policies on involuntary resettlement and how to address these gaps are shown in Table 4.1.

Table 4.1. Analysis of Gap between Philippine Laws and OP 4.12

Table 4.1-1 Analysis of Gaps between Philippine Laws and OP 4.12.				
Key Issues	World Bank Policies (A)	Philippine IR Guidelines (B)	Gap Between A and B	Consideration of ap Between A and B
Persons Considered as Project-Affected Persons (PAPs)	Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility Cut-off Date, asset inventory, and socioeconomic survey), preferably at the project identification stage, to prevent a subsequent influx encroacher of others who wish to take advance of such benefits. (WB OP 4.12, Paragraph 6)	PAPs consist of all members of a household who will be adversely affected by the project because their present residence will be recovered by the Philippine government for is infrastructure projects Department Order No. 05, Series of 2003 requires to determine the PAFs and the project affected improvements based on the Cut-off Date, which will be the start of the census.	None	An updated SES was conducted by DPWH in April 2019 indicating the profile of project affected families counting all the PAFs onsite after the project cut-off date. A detailed census was conducted including the asset inventory of the affected structures. The Cut-off Date was declared as of the first Socio-Economic Survey (SES) of the Project Affected Families (PAFs) conducted by the Pasig River Rehabilitation Commission (PRRC) and the Department of the Interior and Local Government (DILG) in 2013 under the Oplan Likas Program of the Government of the Philippines to facilitate the relocation of the Informal Settler Families (PAFs) living in danger zones and those who will be affected by government infrastructure projects. The Metro Manila Development Authority

Key Issues	World Bank Policies (A)	Philippine IR Guidelines (B)	Gap Between A and B	Consideration of ap Between A and B
Loss of Income or Sources of Livelihood	<p>Displaced persons should be assisted to improve their efforts to improve their livelihoods and living standards or at least to restore them.</p> <p>PAFs who are below poverty line, landless, elderly, women and children and ethnic minorities. etc. (WB OP 4.12 Paragraph 8)</p>	<p>LARRIP on Income Loss. "For loss of business/ income, the PAF will be entitled to an income rehabilitation assistance not to exceed P 15,000 for severely affected structures, or to be based on the latest copy of the PAF's Tax record for the period corresponding to the stoppage of business activities" DPWH will coordinate with concerned government agencies for assistance in the Skills Training and Job Referrals</p> <p>DO 327 s. 2003 provides transitional allowance for severely affected shop owners for their computed income loss during demolition and reconstruction of their shops</p> <p>The Philippines has laws protecting women, elderly and children, persons with disabilities, and Indigenous</p>	<p>Major government policies (e.g., RA 7279, RA 10752) are silent regarding loss of income directly resulting from land acquisition.</p> <p>However, the DPWH LARRIP Policy 2007 and DO 327 s. 2003 cover income loss:</p>	<p>Assistance of 15,000 per training is established in the RAP. In addition, job opportunities related to the project are examined to be prepared based on capability of PAFs and jobs availability in the relocation sites where DPWH have projects.</p>

Key Issues	World Bank Policies (A)	Philippine IR Guidelines (B)	Gap Between A and B	Consideration of ap Between A and B
Persons Considered as Project-Affected Persons (PAPs)	Persons/People impacted by Involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location.	PAPs consist of all members of a household who will be adversely affected by the project because their real property shall be acquired for government infrastructure projects		Pumping Station as part of the Metro Manila Flood Management Project. The total number of PAFs identified then was around 165 families. In 2016, when the Rehabilitation of the Malabon Pumping Station was spearheaded by the Department of Public Works and Highways (DPWH), the Local Inter-Agency Committee (LIAC) validated the lists of PAFs based on the surveys made by the PRRC and MMDA.
Persons Considered as Project-Affected Persons (PAPs)	Criteria for Eligibility. (c) Those who have no recognizable legal right or claim to the land they are occupying. (WB OP 4.12 Paragraph 15.c)	Section 16 of RA 7279 defines the eligibility of a PAFs for socialized housing program: Must be a Filipino citizen; Must be underprivileged and homeless citizen as defined in Section 3 of the Act;	None	UPMO, LGUs, NHA and other relevant agencies coordinating to provide compensation in eligible persons including resettlement sites for Informal Settlers according to criteria in RA 7279 All affected PAFs (except professional squatters and non-bona fide occupants and intruders of lands reserved for

Key Issues	World Bank Policies (A)	Philippine IR Guidelines (B)	Gap Between A and B	Consideration of ap Between A and B
Treatment of Informal Settlers	Sections 15-16 stipulate that informal settler should be provided resettlement assistance	<p>R.A. 7279 states that eligible homeless and poor informal settlers in urban areas are entitled to resettlement if they are affected by development projects. However, R.A. 7279 limits this to residential informal settlers and is silent on informal structures on public or private land used for commercial purposes.</p> <p>Government also excludes from the eligibility list people who were previously resettled.</p>	Disqualified families due to previous award of government housing	<p>The project will replace lost structures and other assets of informal settlers and provide them with resettlement assistance.</p> <p>Those found to be disqualified due to previous availment of government housing will be further assessed and when found to have difficulty coping in the relocation site due to income/ job loss, will be evaluated for consideration for relocation assistance.</p>

5. ELIGIBILITY AND ENTITLEMENTS

5.1. Project-Affected Persons (PAPs) and Eligibility

In accordance with the RPF, all people and structures within the technical footprint and who fall within the cut-off date are eligible to receive assistance from the Project. However, for the PAFs who owned the land they claimed, the cut-off date is upon the issuance of the NOT.

The eligibility classification of the 3 PAFs is shown below:

Table 5.1. Eligibility Classification, September 2024

Eligibility Classification	Type of PAFs	Number of PAFs	Number of Lots	Remarks
Those who have formal legal rights to the land (including customary and traditional rights recognized under the laws of the country)	Landowners	2	2	1 – Artex 1 – Balot
Those with claims to the land that are recognized or recognizable under the national law	CMP Members	21*	7	2 – Magsaysay 5 – Herrera**
Those without legal rights to the land or recognized or recognizable claims	Structure Owners	3	3***	Herrera Pumping Station

Source: DPWH UPMO-FCMC

Note: Of the 13 affected lots, 9 private lots are to be acquired, while the remaining 4 are government-owned lots at Concepcion Pumping Station (1) and Merville-Dampalit Pumping Station (3).

*The 18 CMP members from Magsaysay Pumping Station out of 21 are already covered in Magsaysay Pumping Station RAP.

**Herrera Pumping Station lots are subdivided into 5 (2 roads and 3 residential lots).

***There are 3 structures within the 3 lots at Herrera Pumping Station.

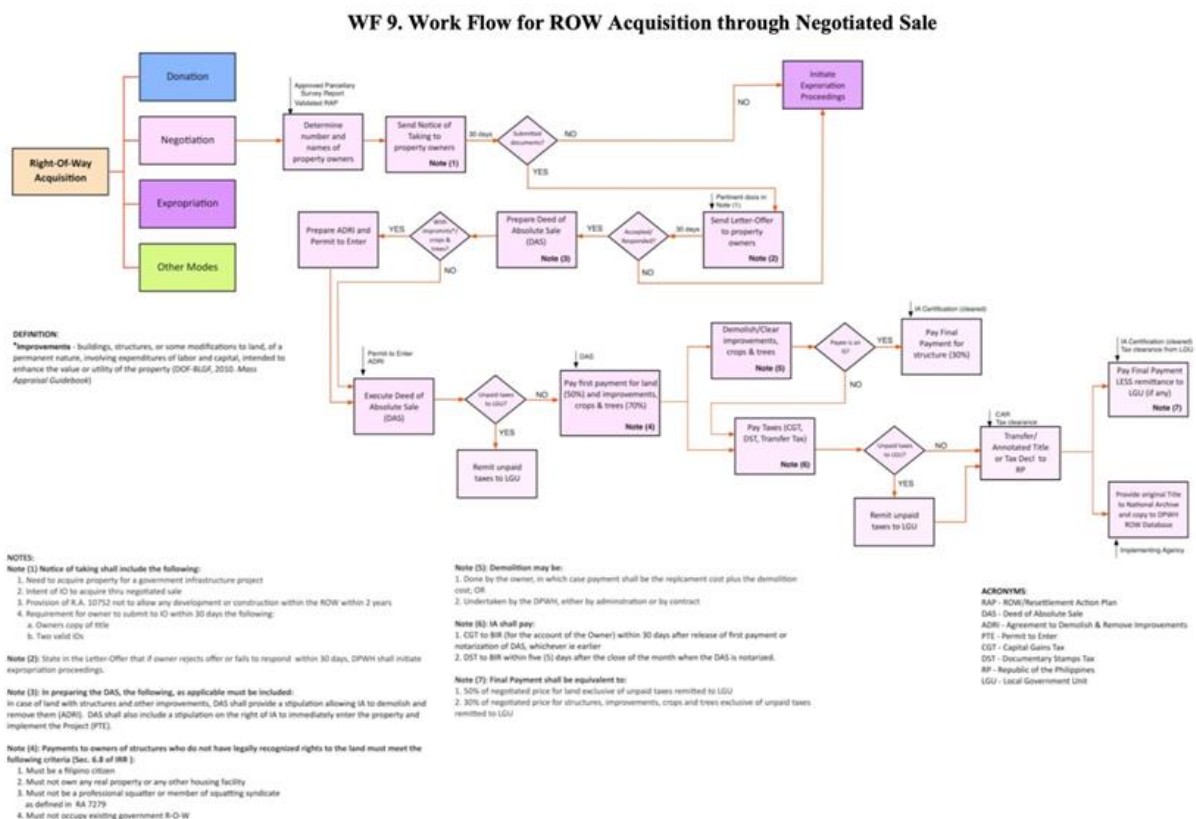
5.2. Mode of ROW Acquisition

In DPWH DO 152 s. 2017, the acquisition of land for infrastructure projects is governed by a clear process to ensure the smooth implementation of government initiatives while protecting the rights of landowners. The Order outlines 3 primary methods for acquiring the land required for public works projects: **negotiated sale, donation, and expropriation**. Each method is applied under specific conditions, and together, they create a balanced approach for securing land.

DPWH DO 152 s. 2017 adopts a balanced land acquisition approach by prioritizing negotiated sale and donation to facilitate voluntary agreements that guarantee fair compensation for landowners, while employing expropriation as a last resort to ensure timely acquisition of land necessary for public infrastructure projects when negotiations are unsuccessful.

Process of Negotiated Sale

The process of negotiated sale per DPWH DO 152 s. 2017 is described below. The negotiated sale under DPWH DO 152 s. 2017 is the most efficient and preferred method for acquiring land for public projects. It avoids lengthy legal processes by allowing the government and landowners to voluntarily agree on a price based on fair market value, ensuring landowners are fairly compensated. This method speeds up project timelines, ensures prompt payment, and fosters a positive relationship between both parties, promoting smoother infrastructure development without resorting to expropriation. The process is cost-effective and ensures that both the government's goals and landowners' rights are respected.



Source: DPWH

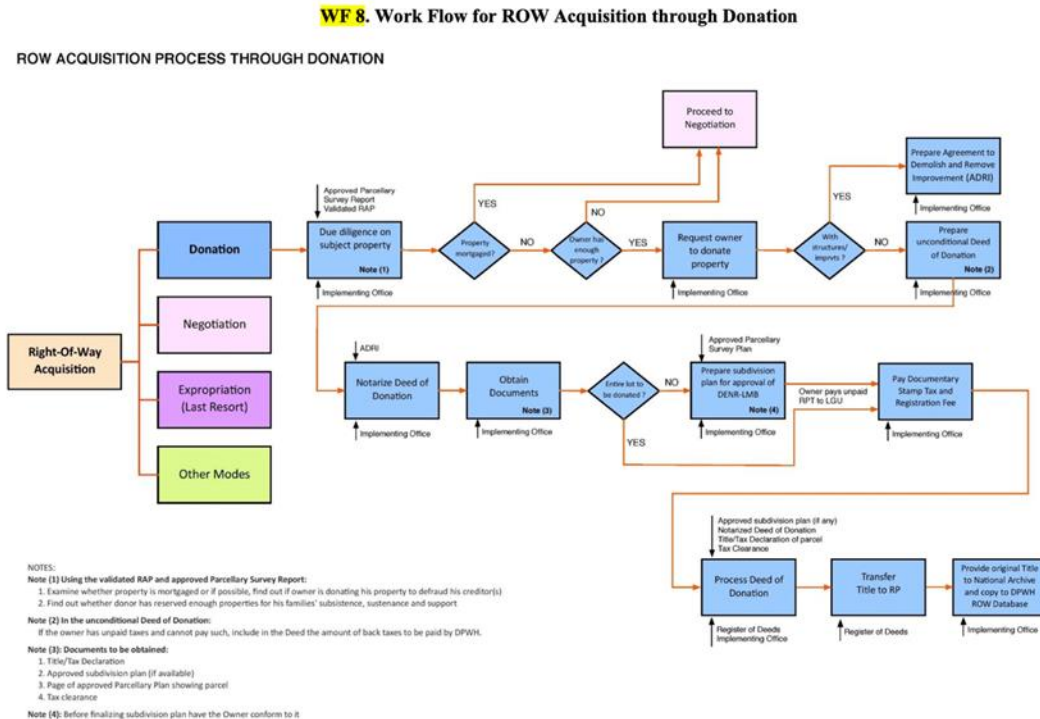
Figure 5.1. Workflow for ROW Acquisition Through Negotiated Sale

Process of Land Donation

If a property owner agrees to donate land for DPWH ROW acquisition, a simple and unconditional Deed of Donation will be prepared. It must state that the donation is not intended to defraud creditors and that the donor, if needed, has reserved sufficient property for the family's support, especially when the donor is a private individual.

Under DPWH DO 152 s. 2017, donations involve the voluntary transfer of land to the government without monetary compensation. Landowners may choose this option to support public projects, like infrastructure improvements, benefiting the community. This process avoids lengthy negotiations and expropriation, expediting project timelines, and is usually

applied to smaller parcels of land. In some cases, tax incentives may also motivate landowners to donate.



Source: DPWH

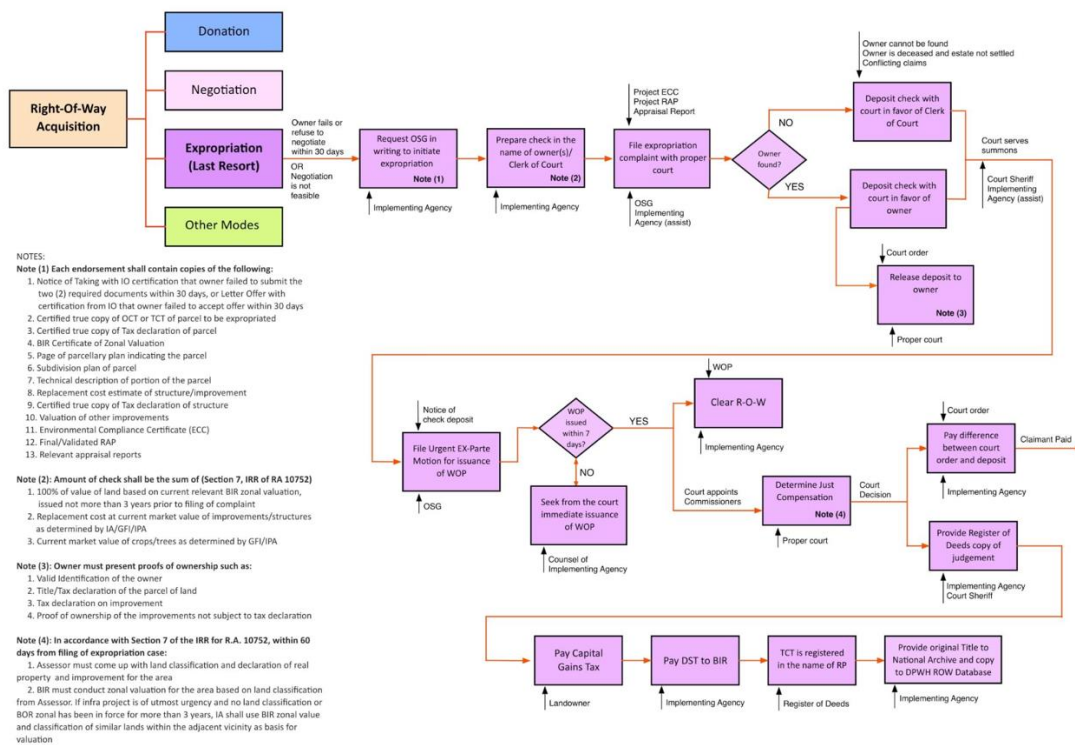
Figure 5.2. Workflow for ROW Acquisition Through Donation

Process of Expropriation

In any case that the landowners will not accept the offer of the implementing agency, an expropriation case will be filed. However, this will be the last resort concerning the land acquisition. The process of negotiated sale per DPWH DO 152 s. 2017 is described in Figure 5.3.

Expropriation under DPWH DO 152 s. 2017 is a legal mechanism that enables the government to forcibly acquire private property for public use when negotiations with landowners fail, ensuring that essential infrastructure projects proceed without delay. This process, grounded in the principle of eminent domain, guarantees that landowners receive just compensation determined by the courts, and allows the government to take immediate possession of the land through a Writ of Possession if urgent action is needed.

WF 12. Work Flow for ROW Acquisition through Expropriation



Source: DPWH

Figure 5.3. Workflow for ROW Acquisition Through Expropriation

5.3. Process for Compensation

The required documents for payment of compensation for affected land, structures, and other improvements are the following:

(1) Land

For land to be acquired through negotiated sale, the landowner(s) are required to submit the following documents prior to full payment:

- Owner's duplicate copy of title (Original Certificate of Title (OCT), TCT, Certificate of Land Ownership Award (CLOA), or Copy of the Original Land Patent covering said lot);
- Tax Declaration of Lot;
- Tax Declaration of Improvements (if any)/Certificate of No Improvement;
- Tax Clearance;
- Two Government-Issued/Valid Identification Cards (IDs).

For land to be acquired through donation, here are the procedures:¹

- Using the Parcellary Survey Plan and the listings generated during the conduct of parcellary survey, schedule visits to each landowner.
- Prepare a letter informing the property owners about the schedule of visits.
- During house visits, maintain a pleasant atmosphere. Cite the benefits that will be derived once the Project is implemented. One way is to cite cases wherein the value of properties adjacent to an acquired ROW significantly increased as a result of the construction/improvement of the roadway. Sound out the owner if he is willing to donate his property. Avoid mentioning about expropriation proceedings. If asked, assured the owner that it will be considered only as a last recourse.
- Check if the owner has unpaid real property taxes (arrears), using the Parcellary Survey Report. If not indicated in that report, obtain information about the matter from the concerned City/Municipal Treasurer's Office. If it was verified that there are such unpaid taxes, request the owner to settle these taxes as a condition for the donation. If the owner cannot or is not willing to pay the unpaid back taxes, inform the owner that his property is not eligible for donation and, therefore, the acquisition of the property will be pursued through negotiated sale in accordance with Section 2.17 of the DRAM.
- If, however, the owner agrees to pay the unpaid taxes and donate his property, thank him and mention that he is doing his country a big favor. Tell him that you will prepare all the necessary documents, and will come back once these are completed.
- Immediately prepare the unconditional Deed of Donation (format in Appendix 29) and Agreement to Demolish and Remove Improvements (ADRI) (format in Appendix 30), using the data provided in the Parcellary Survey Report. Please refer to the appropriate format of the Deed of Donation.
- Inform the landowner about the schedule of your next visit.
- During the next visit, bring with you the properly accomplished Deed of Donation and ADRI, and have it signed by the property owner.
- Have the Deed signed by the Head of the IO, indicating its acceptance of the donation.
- Borrow from the owner the TCT/OCT, Emancipation Patent (EP), or CLOA, and Tax Clearance for processing.
- Have the Deed of Donation notarized.
- Bring the notarized Deed of Donation, together with other necessary documents such as the TCT/OCT/EP/CLOA, Tax Declaration, Tax Clearance, Subdivision Plan (if any), to the Register of Deeds for proper processing.
- Pay the documentary stamp tax, transfer tax, and registration fees, while the donor shall pay any unpaid real property tax.
- Follow up the processing of Deed of Donation at the Register of Deeds Office until the Title of the land is registered in the name of the Republic of the Philippines.
- Provide copies of the Deed of Donation and updated Title or Tax Declaration to the Undersecretary concerned, the lot owner (if the property was subdivided), and the Implementing Unit (IU).
- All titles/tax declarations shall be archived at the Office of the Undersecretary concerned.
- If the owner opts not to donate his property, proceed to the preparation of the RAP.

¹ DPWH DO 152 s. 2017

For the acquisition through expropriation, if negotiation has failed or the IO has determined that negotiation is not feasible, request the Office of the Solicitor General (OSG), in writing, to initiate the expropriation proceedings before the proper Court. Each endorsement shall contain copies of the following documents for each parcel of land and improvements to be expropriated: ²

- NOT issued to the Owner, with the IO Certification that the Owner has refused or failed to submit the 2 required documents as proof of ownership within 30 days; or – after submitting the two documents required in the NOT – Letter-Offer for the proposed negotiated price, with the IO certification that the Owner has refused or failed to accept the price offer within 30 days.
- Certified true copy of the Title (OCT or TCT) of the parcel of land to be expropriated (from the Register of Deeds).
- Certified true copy of the Tax Declaration of the parcel of land to be expropriated (from assessor).
- Certificate from the Bureau of Internal Revenue (BIR) of the Zonal Valuation of the parcel of land to be expropriated.
- Page of the parcellary plan where the parcel of land to be expropriated is indicated (from the IO).
- Subdivision plan of the parcel of land to be expropriated indicating therein the portion to be expropriated (from the IO).
- Technical description of the portion of the parcel of land to be expropriated (from the IO).
- Replacement Cost Estimate of the structures/improvements to be expropriated (from the IO).
- Certified true copy of the Tax Declaration of the structures/improvements to be expropriated (from the IO).
- Copy of the valuation of crops and trees, if any.
- Project Environmental Compliance Certificate (ECC), or equivalent document issued by the DENR.
- Project RAP (from the IO).
- Appraisal reports relevant to the project/property (from the IO).
- All of the above documents shall be collated inside a folder, and such folder clearly indicating: (i) the name of the project, (ii) the index number as indicated in the parcellary plan of the property; and (iii) the name of the Owner.

(2) Structures and Other Improvements

Structure owners, including informal settlers, are required to present the following documents:

- Two (2) valid government-issued IDs;
- Clearance for Structures and Improvements, if applicable to micro-business owners;
- Special Power of Attorney (SPA), if applicable; and
- Tax Declaration of Improvements (if any);
- For APs who own the structures but do not own private land, a waiver from the private landowner stating that he/she is not the owner of the structure and/or improvement therein, and as such he/she is waiving the receipt of any

² Ibid Footnote 1

compensation for such. APs who occupy government-owned land and own the structures are not required to have a waiver from the government entity recognized as the owner;

- ISFs (non-landowners) are required to submit the following:
 - Certification from the barangay concerned stating that he/she is the rightful owner of the crops and trees;
 - Affidavit of the claimant, and two other persons not related to the claimant, preferably neighbor and/or landowner of the adjacent properties;
 - Upon submission of these, validation of claims and issuance of certification from concerned LIAC; and
 - Other documentary evidence available as proof of ownership of structure.

5.4. Entitlements

The compensation and assistance are designed to enhance or at least restore the livelihoods of all displaced persons in real terms relative to pre-project levels and to improve the standards of living of the displaced poor and other vulnerable groups. The DPWH shall offer to the property owner concerned, as compensation price, the sum of (i) the current market value of land and (ii) the replacement cost of structures and improvements.

Article III, Section 9 of the Constitution states that, "Private property shall not be taken for public use without just compensation." The DRAM thus expounds that "compensation should be fair to both the dispossessed interests and the national taxpayers funding the infrastructure required for the nation's economic development. This means that citizens losing their land and assets should be reinstated to a circumstance equal to their previous state and with recognition of any significant transitional disruption. They have no right to have their circumstance enhanced but to reiterate that citizens have a right to reinstatement to a circumstance no worse than before their loss."

A range of entitlements is provided in the table on the next page. Per the DRAM, the parcellary survey data were used in the finalization of asset valuation and entitlements subject to validation by DPWH. However, the entitlement matrix on the next page shall be upheld as it provides for every entitlement that must be satisfied under principles laid out in this Plan and Philippine legislation to allow the transfer of the required (and now identified and valued) land and assets into the ownership of the government.

The affected or displaced persons are entitled to social safeguards under applicable Philippine Laws and the 2017 RPF for the Project. The following entitlement matrix shown in the table on the next page shall serve as the guide for entitlement eligibility.

Table 5.2. Entitlement Matrix³

Impact Categories	Specific Applications	Eligible APs	Compensation/ Entitlements
LAND (Classified as Agricultural, Residential, Commercial, or Institutional)	More than 20% of the total land holding lost or where less than 20% lost but the remaining land holding become economically unviable.	PAF with TCT or Tax Declaration (Tax Declaration can be legalized to full title). 4 PAFs	PAF will be entitled to: <ul style="list-style-type: none"> • Cash compensation for loss of land at 100% replacement cost at the informed request of PAFs; • If feasible, land for land will be provided in terms of a new parcel of land of equivalent productivity, at a location acceptable to PAFs, or • Holders of free or homestead patents and CLOAs under Commonwealth Act (CA) No. 141 or the Public Lands Act will be compensated on land improvements only; • Holders of CLOA granted under the Comprehensive Agrarian Reform Act shall be compensated for the land at zonal value; • Cash compensation for damaged crops at market value at the time of taking; • Rehabilitation assistance in the form of skills training equivalent to the amount of Php 15, 000.00 per family, if the present means of livelihood is no longer viable and the AF will have to engage in a new income activity.

³ LARRIPP, 2007

	Less than 20% of the total land holding lost or where less than 20% lost or where the remaining land holding is still viable for use.	AF with TCT or Tax Declaration (Tax Declarations that are legalized to full title) 1 PAFs	PAF will be entitled to: <ul style="list-style-type: none"> • Cash compensation for loss of land at 100% replacement cost at the informed request of PAFs; • Holders of free or homestead patents and CLOAs under CA 141 or the Public Lands Act shall be compensated on land improvements only; • Holders of CLOA granted under the Comprehensive Agrarian Reform Act shall be compensated for the land at zonal value; • Cash compensation for damaged crops at market value at the time of taking.
STRUCTURES (Classified as Residential/ Commercial/ Industrial)	More than 20% of the total land holding loss or where less than 20% loss but the remaining structures no longer function as intended or no longer viable for continued use.	AF with TCT or Tax Declaration (Tax Declaration can be legalized to full title) 3 PAFs	AF will be entitled to: <ul style="list-style-type: none"> • Cash compensation for entire structure at 100% of replacement cost; • Rental subsidy for the time between the submission of complete documents and the release of payment on land.
Other Types of Assistance			
Rehabilitation Assistance		5 PAFs	Skills training and other development activities equivalent to Php 15,000.00 per family per municipality will be provided in coordination with other government agencies, if the present means of livelihood is no longer viable and the PAF will have to engage in a new income activity.

Inconvenience Allowance for Vulnerable Persons		3 PAFs	<p>Rehabilitation assistance in the form of skills training and other development activities with the value of up to Php 15,000.00 will be provided in coordination with other government agencies.</p> <p>Support and/or maintain access to government welfare programs— inclusion in the Livelihood Restoration and Improvement Program (LRIP).</p>
Transportation Allowance or Assistance		3 PAFs	<p>During relocation, PAFs will be provided free transportation. Also, informal settlers in urban centers 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.</p>

5.6. COST

The services of an IPA with adequate experience in property appraisal were engaged from August to December 2021 to provide valuations of the land, assets, structures and improvements, crops, and trees as appropriate, noting the provisions of Sections 6 and 12 of the IRR.

The appraisal applies any 1 or combination of 3 traditional approaches to value, namely: (i) Income Capitalization Approach for trees and crops; (ii) Cost Approach for building and other improvements; and (iii) Market Data (or Direct Sales Comparison) Approach for land, and reconciliation is done. Per RA 10752 Section 8, the Implementing Agency (IA) shall pay the owner the cost of the damages for the improvements within that land equivalent to their replacement cost.

Compensation of Land. The total affected land in 4 pumping stations which are owned by private individuals who presented proof of ownership will be compensated for the land. However, in 2 pumping stations (Merville-Dampalit and Concepcion Pumping Station), DPWH will coordinate to the concerned government entities to use the land for the government project. Viability assessment is also conducted to be included in the compensation in such a way that the remaining land can no longer be developed.

Table 5.3. Land Market Value, May 2023

Pumping Station	Barangay	Number of Lots	PAFs	Total Floor Area (sq.m.)	Market Value (per sq.m., Php)	Replacement Cost (Php)	Category
Artex	Panghulo	1	1	217	12,700	2,755,900.00	Residential
Balot	Hulong-Duhad	1	1	1,019	13,300	13,552,700.00	Residential
Herrera	Ibaba	5	3	115	15,600	1,794,000.00	Residential
Magsaysay	San Agustin	2	-	230	16,500	3,795,000.00	Residential
Total		9	5	1,591		21,897,600.00	

Source: DPWH

Compensation for Structures. Replacement cost was established through the cost approach, which is a real estate valuation method that estimates the price a buyer should pay for a piece of property that is equal to the cost to build an equivalent building. In the cost approach, the property's value is equal to the cost of reconstructing the structure at current times/cost, such as materials and labor. The unit cost of materials was taken from the DPWH construction price.

Table 5.4. Structure Replacement Costs

Pumping Station	Barangay	Location	PAFs	Total Floor Area (sq.m.)	Affected Floor Area (sq.m.)	Detailed Cost Estimates (Php)	Category
Herrera	Ibaba	L19 B2	3	93.44	93.44	239,399.95	Residential
Herrera	Ibaba	L18 B2	2	36	36	304,509.50	Residential
Herrera	Ibaba	L21 B2	1	12.3	12.3	93,114.41	Residential
Total			6	141.74	141.74	637,023.86	

Source: DPWH

Livelihood Rehabilitation Assistance. Skills training and other development activities will be provided in coordination with other government agencies if the present means of livelihood is no longer viable and the PAH needs to engage in a new income activity.

The transportation allowance will be provided if the PAHs decide to relocate to another location, commensurate with actual cost.

6. INSTITUTIONAL FRAMEWORK AND IMPLEMENTATION ARRANGEMENT

This part describes the institution(s) responsible for delivery of each item/activity in the entitlement policy, implementation of income restoration programs, and coordination of the activities associated with and described in the ROWAP, states how coordination issues shall be addressed in cases where resettlement is spread over a number of jurisdictions or where resettlement shall be implemented in stages over a long period of time, identifies the agency that shall coordinate all implementing agencies and if it has the necessary mandate and resources, describes the external (non-project) institutions involved in the process of income restoration (land development, land allocation, credit, and training) and the mechanisms to ensure adequate performance of these institutions, discusses institutional capacity for and commitment to resettlement, and describes mechanisms for ensuring independent monitoring, evaluation, and financial audit of the ROWAP and for ensuring that corrective measures are carried out in a timely fashion.

The Consultant will review the adequacy and efficiency of existing institutional arrangements among the government and private agencies involved in resettlement planning and implementation at the LGU and national levels.

A Project Management Team to be led by the DPWH will oversee the development, implementation, and monitoring of the Project.

6.1. Project Management Office

The overall responsibility for the implementation of the Project is under the UPMO – Flood Control Management Cluster (UPMO-FCMC) of DPWH. This will include the supervision and management of the Project, in coordination with other relevant offices within the DPWH and the Key Shelter Agencies (KSAs) for the relocation of PAFs. It is also tasked to ensure that funds for the timely implementation of RAP are available and properly accounted for.

The UPMO-FCMC will be assisted by the Environmental and Social Safeguards Division (ESSD) per DO 58 s. 2004 in providing technical guidance and support in the implementation of the ROWAP. All activities related to the ROWAP preparation and implementation will be periodically reported from the DPWH to the World Bank, and the ROWAP will be concurred by the World Bank prior to its full implementation.

6.2. Roles and Responsibilities

The processing and disbursement of funds to the implementing partners will be carried out by the UPMO-FCMC and at all times be consistent with existing government accounting and auditing guidelines and procedures.

The DPWH ROW shall provide technical guidance and support in the implementation of the ROWAP. It will also be responsible for the resettlement and safeguards activities as listed on the next page:

6.2.1. Resettlement Specialist

Resettlement issues across the Project as a whole will be coordinated by a designated resettlement specialist. The main responsibilities are to:

- Update the Plan in accordance with the guidelines prepared for its preparation;

- Supervise and monitor implementation of the Plan and take remedial action where necessary;
- Monitor the work in dealing with complaints and grievances and take action in updated plans to address any recurring problems or complaints;
- Assist in the organization and implementation of public consultation and disclosure activities (including preparation of materials and delivery of presentations where necessary);
- Conduct internal seminars and training programs to raise awareness for resettlement issues; and
- Report regularly to DPWH on the progress of resettlement issues.

6.2.2. DPWH

- Inform PAPs regarding payment schedule at least two weeks in advance;
- Prepare the list of PAPs and their corresponding entitlements with detailed breakdown of payments;
- Encourage various representatives to witness the compensation payment process;
- Ensure that a PAP is aware of his/her rights and entitlements and amounts received against each entitlement are recorded;
- Document grievances if there are any;
- Sign as witness to the compensation activity;
- Obtain copies of all compensation forms made and prepare copies of all compensation forms/documents;
- Prepare and update regularly the list of PAPs containing date of payment made to the computerized database;
- PAPs will be given at least one month after receipt of notice prior to relocation to resettlement sites or sites of their own choice; and
- All compensation, entitlements, and other allowances will be paid to the PAPs prior to any displacement or dispossession of assets.

6.2.3. Project Management Office

The roles and responsibilities of the UPMO-FCMC pertaining to the ROWAP are summarized below.

- General Functions
 - Lead and manage the overall implementation of this ROWAP;
 - Synchronize land acquisition with the project construction schedule and similarly closely coordinate with contractors to ensure that civil works are aligned with the ROWAP implementation;
 - Ensure the timely implementation of the plan, specifically the acquisition of the ROW, and the implementation of the LRIP;
 - Create a database of PAPs accessible to all involved agencies nationwide and set guidelines in accessing this database to maintain confidentiality of information to protect the privacy of PAPs;
 - Lead responses to unanticipated impacts due to the Project;
 - Prepare detailed action plans, schedules, targets, and resource allocation plans to effectively implement the plans;
 - Ensure that sufficient human resources are available to implement the plans;

- Operate and maintain the Grievance Redress Mechanism (GRM) including making available all required resources (i.e., budget, staff, office space, transport, supplies, etc.);
- Ensure that adequate budget and required funds are available to implement the plans (and all related safeguards plans and activities) and make all required timely payment to PAPs (including monthly rental allowances);
- Disclose information about the ROWAP implementation in a timely and meaningful manner, and involve PAPs in the said implementation;
- Monitor and report on all resettlement plan-related activities, identifying issues, and implement corrective actions, as outlined in the plans;
- Update the ROWAP (including any other safeguard documents) during the detailed design stage;
- Ensure that unanticipated impacts are addressed according to the ROWAP;
- Prepare monthly and quarterly monitoring reports on the resettlement plans implementation, post-completion and evaluation reports, and semi-annual internal monitoring and evaluation reports;
- Ensure the engagement of an external monitor during the ROWAP implementation period.
- ROW and Land Acquisition
 - Conduct all required surveys to determine affected persons and assets as needed;
 - Ensure that all eligible PAPs provided with their respective entitlements are identified according to the ROWAP and are relocated and/or compensated;
 - Update and maintain the database on PAPs and their assets needed for the effective implementation and monitoring of resettlement plan activities;
 - Conduct the validation of affected persons and assets (both landowners and informal settlers) and the verification of eligibility (jointly with or independently from other agencies);
 - Provide assistance to PAPs to complete the necessary documents when needed;
 - Carry out due diligence on land when the property owner cannot be identified;
 - Issue the NOT and Offer to Buy (OTB), duly approved and signed by proper authorities;
 - Assist PAPs in securing required documents, particularly in Extrajudicial Settlement (EJS) cases, if any;
 - Pay full compensation to PAPs prior to losses and before land clearing;
 - Lead and manage the timely clearing of the ROW and relocation of PAPs.
- Implementation of the Livelihood Restoration and Improvement Program (LRIP)
 - In coordination with the concerned national government agencies and LIAC, implement the LRIP;
 - Create a division within the Project Management Office or assign dedicated persons to supervise and implement the LRIP that is not covered by partner agencies;
 - Maximize the use of other livelihood programs where they are available for PAPs; and
 - Arrange employment for PAPs in construction works for the Project.
- Preparation and Submission of Reports
 - Submit periodically (on a monthly basis) all necessary reports pertaining to the implementation of the ROWAP;

- Conduct internal monitoring of the ROWAP implementation, and prepare monthly, quarterly, and semi-annual monitoring reports/updates; and
- Prepare and consolidate reports for the future reference.

6.2.4. Affected People

- Bring necessary documents (Government-Issued IDs with Photo, Barangay Certificate or Community Tax Certificate, Land Title, Tax Declaration or Deeds of Sale, and other relevant proof of ownership or identity);
- Review carefully all compensation documents and ask clarification or explanation, if required. If PAPs are not satisfied with the compensation payment, or if there is a disagreement between a PAP and DPWH, the grievance redress committee should be approached for assistance;
- If PAPs find the compensation documents in order, they will sign the said documents and acknowledge receipt of the compensation payment. One copy of all compensation forms should be obtained; and
- PAPs will clear the work area within the specified time provided by DPWH.

7. LIVELIHOOD RESTORATION AND INCOME REHABILITATION PLAN

This chapter outlines the strategies and plans in the recovery of the livelihood of the affected PAFs because of the Project. There are 3 PAFs to be displaced by the Project opting for self-relocation. However, if during negotiation that they change their decision and opted for assisted relocation instead, there will be an allocated budget for their livelihood assistance. In addition, once they opted assisted relocation, compensation of their structure will be nulled.

Table 7.1. LRIP Budget

Particulars	Unit	Quantity	Unit Price (Php)	Total (Php)
Participants to LRIP	Trainee	3 ⁴	15,000	45,000.00
Contingency of 10%				4,500.00
Total				49,500.00

Source: DPWH

⁴ 3 Vulnerable families earning below Poverty Threshold

8. GRIEVANCE REDRESS MECHANISMS

The LIAC will serve as the Committee to address grievances in the implementation of the ROWAP and the DPWH as the final resort. The GRM will ensure that consultation and disclosure, as well as monitoring and evaluation, is undertaken in accordance with the Plan. In order to accommodate grievances and unintended impacts, constant communication and consultation with the affected people will be institutionalized.

8.1. Grievance Redressal Recommendation

As part of its Citizens' Charter, DPWH has a functioning feedback handling system composed of two components: (a) Feedback Handling, a system that receives, sorts, and resolves feedbacks on DPWH projects, and (b) Civil Society Organization (CSO) accreditation to serve as partners and/or observers in all stages of project development cycle (identification, preparation, budgeting, procurement, implementation, operations, and post-evaluation), and in other areas of mutual interest.

The Feedback Handling Component is managed by the Stakeholders Relations Service (SRS) unit headed by a division head and staffed by 6 action officers manning the system during office hours. As it is a 24-hour service, 1 action officer is designated each night. The SRS has two hotlines, a text messaging system (2920), an email account, and social media accounts (Facebook and Twitter). It also accommodates walk-in complainants in its office. Feedbacks/Complaints are farmed out by Action Officers to concerned units/divisions in the agency and actions are monitored by platform officers (one officer per platform, i.e., email, Facebook, etc.). Serious complaints (i.e., allegations of fraud and corruption) are usually forwarded to high ranking officials (undersecretary level). Service standards and responsible staff are also shown in the SRS Chart on the next page in Figure 8.1.

GRM: DPWH SRS Feedback Handling Chart

STAKEHOLDERS AFFAIRS DIVISION – STAKEHOLDERS RELATIONS SERVICES (SAD-SRS)
FEEDBACK MANAGEMENT CENTER: HANDLING OF FEEDBACKS

Schedule of Availability of Service:

- Monday to Friday, 8:00 am to 5:00pm (without noon break) for walk-in and phone-in transactions

24/7 for feedback coursed through 165-02 call center, E-mail: citizens_feedback@dpwh.gov.ph , Cellphone/Viber Hotline (Text: 09616847084) and Social Media (Facebook: [facebook.com/dpwhph](https://www.facebook.com/dpwhph) ; Twitter: twitter.com/DPWHph)

Who may avail of the service: General Public

What are the requirements: Contact details, mailing address and/or supporting documents, if needed

Duration: 5 minutes to 15 days, depending on the urgency and action required for the feedback

Source: DPWH

Figure 8.1. DPWH SRS Feedback Handling Chart

To improve the current system, DPWH will establish a Public Complaints Unit (PCU) within the UPMO and set up a local help desk within the LGU and Barangay/s under the LIAC to address and resolve any project-related grievances from PAPs or other stakeholders and members of the public. It will be managed with the support of the social and environmental team in the UPMO. The Project will also engage the services of non-project-related advisers to serve on a panel to help resolve difficult grievances. The panel members will be recognized by the public for their impartiality, community service, and good judgment. This group could include individuals from PCUP, retired jurists, clerics or religious officials, or people representing or doing community service in support of the urban poor. As a matter of policy, the Project will not prevent any party from seeking legal remedies from any government judicial body.

The GRM of the Project will be implemented based on the following principles:

- Simplicity – Procedures in filing complaints are understandable to users and easy to recall.
- Accessibility – Filing complaints is easy through means that are commonly used by stakeholders, especially by the PAPs.
- Transparency – Information about the system is made widely available to all stakeholders and the general public.
- Timeliness – Grievances are attended to and resolved in a timely manner.
- Fairness – Feedback or complaints are validated thoroughly and subjects of complaints are given due process and opportunities for appeal.
- Confidentiality – The identity of complainants remains confidential.

To achieve these principles, the Grievance Redress Service (GRS) will be set up with the following features:

- Multiple uptake points – In addition to access through the Community Contact, complainants will be provided with multiple channels to submit their complaints. These include postal mail, electronic messages, telephone, short message service, and personal delivery/walk-in. A project GRS hotline will be established to be managed by the GRS focal person at the UPMO.
- Local help desk within the LGU under the LIAC – The help desk will be provided by LGU with office space, desk, chair, and telephone. It will be available from Monday to Friday, 8:00 A.M. to 5:00 P.M. The PCU focal person will record the complaint and forward it to the concerned offices depending on the type of grievances.
- Timely resolution at the lowest possible level – The Project will strive to attend to complaints in a timely manner. To do this, it will designate a Community Contact at the sub-project level. In addressing and resolving complaints, the Project will build on existing mechanisms in the community (community leaders, barangay officials, barangay justice system, etc.). It is only when the complaint is not resolved at this level that the complaint goes to the UPMO GRS for resolution.
- System for receiving, sorting, verifying, and tracking – A simple system will be developed to facilitate effective management of complaints to guide the UPMO, particularly the PCU, on the steps and arrangements from receiving, sorting, verifying, acting, and tracking complaints. These will be detailed out in the operational manual. Complaints will be categorized and actions on the complaints will be implemented and documented. The Project will maintain a database documenting the salient details of complaints, including the dates they were received and when and what actions were taken. These documents will be available to the external monitoring team and the World Bank disclosure and ease of access; the salient features of the GRS will be publicly disclosed so that people are aware of where and how complaints will be managed. The Community Contact Person assigned to the sub-project will further

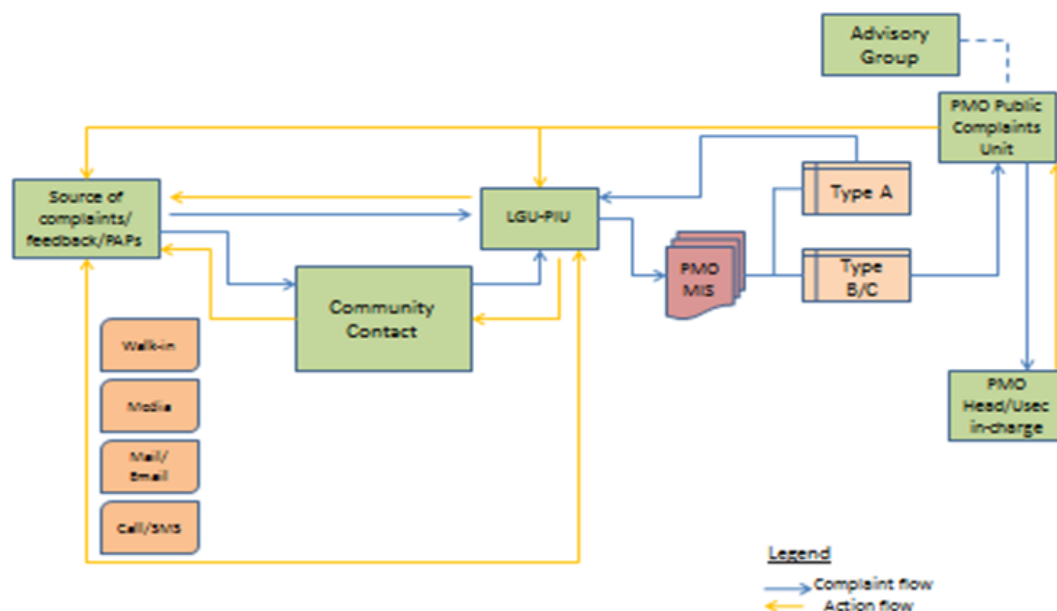
ensure that people in the sub-project's area of influence are aware of grievance management arrangements. Ideally, complaints should be written, but if received verbally, the Community Contact Person will ensure written documentation is made and that the complaint is dated and recorded.

The table on the next page shows the types of grievances that the Project foresees and the responsible individuals/units for management.

Table 8.1. Responsibility Matrix for Grievance Management

Type of Grievances	Description	Resolved at Level of	Possible Range of Actions	Responsible
Type A: Queries, comments, suggestions	Inquiries comments or suggestions on RAP implementation	Uptake Points (Community Contact or Project Staff)	Immediate feedback to provide clarification, provision of IEC materials, referral to appropriate individuals or bodies	Community Contact, project staff or SHFC/SHARE, AGOM and NHA, Brgy LGU concerned
Type B: Performance of Obligation	Complaints about non-performance of obligations or non-compliance to agreements such as those contained in the operations manuals, memorandum of agreements/understanding (MOA/U), sub-project agreements, RAP, etc	LGU-HRT, if not resolved elevated to PMO Public Complaints Unit	Emphasize strict adherence to agreements and resettlement standards corrective measures agreed with partner agencies/organization	LGU-HRT, PMO Public Complaints Units
Type C: Misconduct of Project Staff and Project Partners/ Contractors Violations of Law	Misconduct of program staff and program partners allegations about corruption, misuse of funds, falsification of public documents	Undersecretary in-charge if subject of complaint is the PMO Head	Finding Committee to validate the complaint, Filing of appropriate charges if there is falsification of public documents, recommend conduct of special audit	Undersecretary in-charge

Source: DPWH



Source: DPWH

Figure 8.2. Overall Grievance Management Process Flow

The Project will monitor complaints and coordinate with the concerned LGUs and relevant government agencies as needed to resolve them adequately and expeditiously. The DPWH will keep the World Bank Task Team informed about any significant complaints and the steps taken to resolve them.

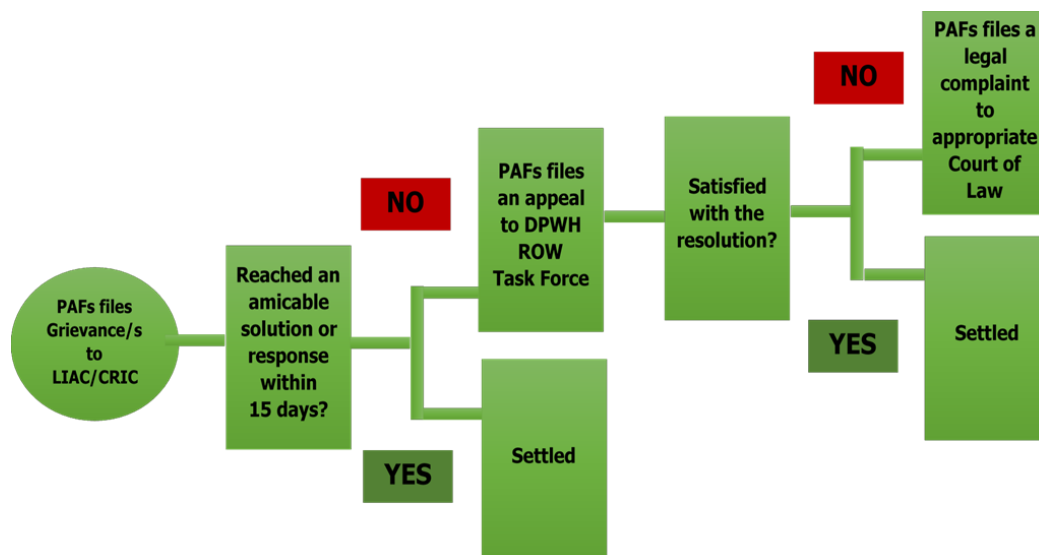
A Grievance Redress System will be established to ensure transparency in the use of funds and that grievances regarding the Project are effectively and expeditiously resolved. This provides the PAFs the opportunity to voice out any complaints and grievances regarding the overall implementation and resettlement process.

According to LARRIPP, grievances related to any aspect of the Project or sub-project will be handled through negotiations and are aimed at achieving consensus, following the procedures outlined below:

- The grievance shall be filed by the PAFs with the LIAC or the City Resettlement Implementation Committee (CRIC) 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;
- If no understanding or amicable settlement can be reached or if PAF does not receive a response from the LIAC or CRIC within 15 days of registry of the complaint, he/she can appeal to the concerned UPMO-FCMC ROW Task Force, which should act on the complaint/grievance within 15 days from the day of its filing; and
- If the PAF is not satisfied with the decision of the UPMO-FCMC ROW Task Force, he/she as a last resort can submit the complaint to any court of law. The PAFs shall be exempted from all administrative and legal fees incurred pursuant to the Grievance Redress Procedures.

All the complaints received in writing (or written when received verbally) from the PAFs will be documented and shall be acted upon immediately according to the procedures detailed above.

The DOs 65 and 203 s. 2017 do not precisely stipulate participation of Regional Offices and District Engineering Office (DEO) into ROW acquisition and grievance procedure. However, since their participation is indispensable for smooth implementation of resettlement, coordination between UPMO-FCMC and the National Capital Region, and/or concerned DEO may be also essential for this Project.



Source: DPWH

Figure 8.3. Grievance Redressal Process at the Sub-Project Level

8.2. GRM Procedures

Grievances from PAPs related to the resettlement implementation or other project-related issues will be handled free of monetary charge through a process of negotiations aimed at reaching a consensus.

8.3. Grievance Communication Between Grievance Redressal Officer and PAPs

The Local/Central GRM Team will keep informing PAPs on the status of their complaint and its resolution. Responses to any grievance submitted as anonymous are posted on the public information board when possible. The process for addressing anonymous grievances will be posted on bulletin boards.

8.4. Monitoring Reports on Grievance Redress

The UPMO monitors the grievance redress status monthly and reports the results to the Board on a quarterly basis by submitting Monitoring Reports on Grievance Redress pertaining to accomplishments and status of unresolved grievances. These reports form a part of the Internal Monitoring Report.

8.5. Monitoring Approaches

Monitoring activities to generate data on the GRM's relevance, effectiveness, and efficiency will range from simple tracking of the progress of cases using a centralized database management and tracking system. The results of local monitoring will be documented by Grievance Redressal Officers and also uploaded on the centralized database management and tracking system under the monitoring tab that contains a specific monitoring template.

8.6. Reporting

The results of monitoring activities will be documented by local grievance redressal officers and submitted to GRM managers and the Central GRM Team once a month.

A monitoring report includes the following: (i) the progress of addressing grievances, (ii) raised issues and concerns, (iii) comments for improving the GRM, and (iv) the inclusion of monitoring sheets (e.g., the number of grievances received and resolved, and the categories of complaints received).

8.7. Continuous Update of the GRM

The GRM policies and procedures will be updated every six months to streamline the process where needed. Discussions and revisions will be made by the Central GRM Team based on recommendations. If necessary, interviews will be conducted directly with local officers on the site.

9. MONITORING MECHANISM

The purpose of monitoring and evaluation for the implementation of ROWAP is to ensure that all resettlement arrangements and the measures for avoiding, minimizing, or compensating losses or other negative social impacts resulting from resettlement are implemented properly, based with the plan.

The ROWAP implementation will be monitored both internally and externally. Selected members of the LIAC will form part of the internal monitoring team. An external monitoring will include representatives from DPWH and Commission on Audit (COA) or an independent consultant. The DPWH will have a Resettlement Specialist to provide necessary technical assistance, monitor resettlement implementation, and report on a quarterly/monthly basis to LIAC on the progress of resettlement activities.

The DPWH will be responsible for managing and maintaining affected people databases, documenting results of affected people census, and verifying asset and SES data, which will be used as the baseline for assessing resettlement implementation impacts. The LIAC will submit reports on resettlement progress to DPWH for review.

Details on internal and external monitoring are presented in Tables 9.1 and 9.2. Indicators were established to ensure the attainment of ROWAP objectives. The various indicators and benchmarks will be monitored by means of 2 monitoring mechanisms:

- Internal monitoring of process and output indicators; and
- External monitoring by an independent monitoring agency, e.g., COA or an independent consultant/s to check the extent to which resettlement and rehabilitation objectives have been met.

The resettlement implementation will be monitored both internally and externally. The DPWH will have a Resettlement Specialist to provide necessary technical assistance, monitor resettlement implementation and report on a quarterly/monthly basis on the progress of resettlement activities.

9.1. Objectives

The main objectives of the monitoring are: (i) to verify whether resettlement was effectively implemented in a timely manner, (ii) to evaluate whether resettlement was implemented as planned in ROWAP, and (iii) to see if livelihoods and standards of living are improved or at least restored.

9.2. Scope

The ROWAP to be prepared, implemented, and monitored shall cover all the items mentioned in the resettlement plan outline, including but not limited to the identification and entitlements of the affected PAFs and income/livelihood restoration.

9.3. Monitoring Mechanism

9.3.1. Internal Monitoring

The ESSD under DO 58 of the DPWH shall conduct the supervision and in-house monitoring of implementation of the ROWAP and will be alternately called the Internal Monitoring Agent (IMA).

The objectives of Internal Monitoring are:

- To check whether resettlement is implemented as planned in the ROWAP; and
- To review unforeseeable issues during the ROWAP preparation.

The principal items to be monitored by the IMA are enumerated below:

- Verify that the re-inventory of baseline information of all PAPs/PAFs has been carried out and that the valuation of assets lost or damaged, the provision of compensation, and other entitlements and relocation, if any, have been carried out in accordance with the LARRIPP and the respective RAP reports;
- Ensure that resettlement is implemented as designed and planned;
- Verify that funds for implementing the resettlement plan are provided by the UPMO in a timely manner and in amounts sufficient for the purpose;
- Timely and complete disbursement of compensation amount to each PAPs/PAFs, if any, in accordance with agreed conditions during negotiation; and
- Record all grievances and their solution, and ensure that complaints are properly dealt with.

9.3.2. External Monitoring and Evaluation

The main objective of External Monitoring is to provide an independent periodic review and assessment of:

- Achievement of the objectives;
- Restoration of the economic and social base of PAPs/PAFs;
- Effectiveness and sustainability of entitlements; and
- The needs of further mitigation measures.

The External Monitoring is undertaken by External Monitoring Agency (EMA) engaged by the UPMO-FCMC. These objectives will be received through the following activities:

- Verify results of Internal Monitoring;
- Verify and assess the results of the information campaign for PAPs/PAFs rights and entitlements;
- Verify that the compensation process has been carried out with procedures communicated with the PAPs/PAFs during the consultations;
- Assess whether resettlement objectives have been met, specifically, whether livelihood and living standards have been restored and enhanced;
- Assess efficiency, effectiveness, impacts, and sustainability of resettlement implementation, drawing lessons as a guide to future resettlement and policy making and planning;
- Ascertain whether the resettlement entitlement is appropriate to meet the objectives and whether the objectives were suited to PAPs/PAFs conditions;
- Suggest modification in the implementation procedures of the ROWAP, if necessary, to achieve the principles of the RPF;
- Review on how compensation rates were evaluated; and
- Review on handling of complaints and/or grievance cases, if any.

9.4. Stages and Frequency of Monitoring

The stages and monitoring frequency of the contract packages by the IMA and EMA are as follows:

9.4.1. Compliance Monitoring

This is the first activity that both IMA and EMA shall undertake to determine whether or not the ROWAP was carried out as planned and according to World Bank Guidelines and the LARRIPP.

The EMA will submit an Inception Report and Compliance Monitoring Report a month after receipt of Notice to Proceed (NTP) for the engagement. The engagement of the EMA shall be scheduled to meet the Policy's requirement of concluding ROWAP implementation activities at least a month prior to start of the civil works.

9.4.2. Frequency of Internal and External Monitoring

The Internal Monitoring will be implemented monthly from resettlement commencement until its completion. External Monitoring will be implemented monthly from commencement of resettlement up to completion of construction works.

9.4.3. Final Evaluation

Final evaluation of the implementation of ROWAP will be conducted by IMA and EMA 3 months after the completion of payments of compensation to PAPs/PAFs and resettlement.

9.4.4. Post-Evaluation

This activity will be conducted by DPWH a year after the completion of the construction works to determine whether the social and economic conditions of the PAPs/PAFs after the implementation of the Project has improved.

9.5. Reporting

9.5.1. Internal Monitoring Report

The ESSD prepares the Internal Monitoring Report at each monitoring period, including:

- Progress of compensation/entitlement payment, and relocation/resettlement; and
- Raised grievance/s and solutions recommended or extended.

9.5.2. External Monitoring Report

The Report to be prepared at each monitoring period summarizes the findings including:

- Progress of implementing ROWAP, including any deviations from the provisions of the Plan;
- Level of livelihood restoration;
- Identification of problems, raised grievances, and recommended solutions; and
- Report on progress of the follow-up of issues and problems identified in the previous monitoring reports.

9.6. Monitoring Indicators

This outlines the basic monitoring indicators for IMA and EMA as shown in the tables on the next page:

Table 9.1. Basic Monitoring Indicators for IMA

Monitoring Indicators	Basis for Indicators
Budget and Time Frame	<ul style="list-style-type: none"> • All resettlement staff have been appointed and mobilized for the field and the office work on schedule. • Capacity-building and training activities have been completed on schedule. • Resettlement implementation activities were achieved according to the agreed Implementation Plan. • Funds for the resettlement are allocated to the resettlement agencies on time. • Resettlement offices have received the scheduled funds. • Funds have been disbursed according to the ROWAP. • The Social Interpretation Phase took place as scheduled.
Delivery of Compensation and Entitlements	<ul style="list-style-type: none"> • All PAPs/PAFs have received entitlements accordingly as set out in the Entitlement Matrix. • All agreed transport costs, relocation costs, income rehabilitation support, and any resettlement allowances have been received according to schedule. • Number of PAFs who have received housing as per relocation options in the ROWAP. • House quality meets the standard agreed. • Resettlement sites have been selected and developed as per agreed standards. • Occupation of PAPs/PAFs in the new houses. • Assistance measures were implemented as planned for host communities. • Livelihood restoration procedures were made for social infrastructure and services. • PAPs/PAFs were able to access schools, health services, cultural sites, and activities as the level of accessibility prior to resettlement. • Income and livelihood restoration activities were being implemented as set out in the Income Restoration Plan. For example, the number of PAFs trained and provided with jobs, and number of income generating activities. • Affected businesses have received entitlements, including transfer and payments for losses resulting from lost businesses and stoppage of production, if any.
Public Participation and Consultation	<ul style="list-style-type: none"> • Consultations have taken place as scheduled, including meetings, group discussions, and community activities. Appropriate resettlement leaflets have been prepared and distributed. • Number of PAPs/PAFs that know their entitlements and number of PAPs/PAFs that were able to receive. • Number of PAPs/PAFs that were able to use Grievance Redress Procedures and their outcomes. • Conflicts have been resolved. • The Social Preparation Phase has been implemented.
Benefit Monitoring	<ul style="list-style-type: none"> • Changes in the patterns of occupation, production, and resources used as compared to the pre-project situation have occurred.

Monitoring Indicators	Basis for Indicators
	<ul style="list-style-type: none"> • Changes in the income and expenditure patterns compared to pre-project situations have occurred. • Changes in cost of living compared to pre-project situations have occurred. PAFs income were able to keep pace with these changes. • Changes have taken place in key social and cultural parameters relating to living standards changes have occurred for vulnerable groups.

Source: DPWH

Table 9.2. Basic Monitoring Indicators for EMA

Monitoring Indicators	Basis for Indicators
Basic Information on PAPs/PAFs/Families	<ul style="list-style-type: none"> • Location • Composition and structures, age, education, and skills levels • Gender of household head • Ethnic/Minority group, if any • Access to health, education, utilities and other social services • Housing types • Land use and other resourced ownership patterns • Occupation and employment patterns • Income sources and levels • Participation in neighborhood or community groups • Access to cultural sites and events • Value of all assets forming entitlements and resettlement entitlements
Restoration of Living Standards	<ul style="list-style-type: none"> • PAPs/PAFs have adopted the housing options developed. • Perceptions of community have been restored. PAPs/PAFs have achieved replacement of key social/cultural elements.
Restoration of Livelihood	<ul style="list-style-type: none"> • Transfer and relocation payment covered these costs. • Income substitution allowed re-establishment of enterprises and production. • Enterprises affected have received sufficient assistance to re-establish themselves. • Vulnerable groups have been encouraged, provided with effective and sustainable income-earning opportunities. • Jobs are provided, enabling the restoration of pre-project income levels and living standards.
Levels of PAFs Satisfaction	<ul style="list-style-type: none"> • Knowledge of PAPs/PAFs in resettlement procedures and their entitlements • Knowledge if these have been met • Knowledge of PAPs/PAFs in the extent of restoration of their own living standards and livelihood • Knowledge of PAPs/PAFs about grievance procedures and conflict resolution procedures, and satisfaction to those who have used the said mechanisms

Monitoring Indicators	Basis for Indicators
Effectiveness of Resettlement Planning	<ul style="list-style-type: none"> • PAPs/PAFs were correctly enumerated/identified. • Resettlement speculators were assisted. • Time frame and budget were sufficient to meet objectives. • Entitlements were too generous. • Vulnerable groups were identified and assisted. • Ways on how the resettlement implementers deal with unforeseen problems
Other Impacts	<ul style="list-style-type: none"> • There were no unintended environmental impacts. • There were no unintended impacts on employment or incomes.

Source: DPWH

9.7. Monitoring Structure

The UPMO-FCMC compiles Internal Monitoring Reports and External Monitoring Reports into 1 Monitoring Report and shall submit it to the World Bank quarterly as a part of Quarterly Progress Report. Figure 9.1 shows the Procedure of Monitoring and Reporting.



Source: DPWH

Figure 9.1. Procedure of Monitoring and Reporting

10. PUBLIC INFORMATION, CONSULTATION, AND PARTICIPATION

The conduct of Public Consultation with PAPs is to solicit their view on the current impact of the Project to the PAPs, the proposed resettlement, and its impact socially and economically. Further, this is to disclose the amended RA 10752, or otherwise known as "The ROW Act," and its 2016 amended IRR and other relevant international, national, and local laws to serve as legal basis for resettlement efforts and establish parameters for entitlements of displaced families.

Stakeholders' active participation and commitment is highly needed in the whole process of consultation. All identified issues and concerns will be documented with the attached attendance sheet, minutes of the meeting, and photos. This will ensure that issues, concerns, and voices of affected persons are incorporated in the project preparation.

Meetings with concerned LGUs will be carried out to disclose initial information about the Project prior to the project-related activities. Future consultations will also be undertaken to present the legal/policy framework and during project implementation.

10.1. Information, Education, and Communication (IEC)/Project Presentation Materials and Meetings

IEC meetings and project presentation materials are prepared in both English and Filipino. These materials are used to allow the PAPs to understand the Project that will create an avenue for them to participate and cooperate in the surveys.

Table 10.1. List of IEC Meetings with LGU and other Concerned Government Agencies

Date	Participants	Methods	Number of Participants		
			Male	Female	Total
April 22, 2021	LGU Malabon, DPWH, DOHWA	via Zoom Meeting	11	5	16

Hereunder are the issues and concerns raised during the IEC meeting:

Table 10.2. Issues and Concerns Raised

Issues and Concerns Raised	Response
Implementation Schedule	The implementation schedule and the 3 priority areas (Acacia, Magsaysay, and Merville-Dampalit) under Batch 3 Pumping Stations will commence by November 2021 for procurement activities, then the rest will follow based on the discussion with the Consultant.
Clarification on the Details of Pumping Stations (e.g., Preliminary Plan, Pumping Station Capacity, and Funding of the Project)	The DEOs of DPWH improved/upgraded the area. The Consultant will then continue on the preparation of feasibility study for Batch 3 Pumping Stations. From the result of the feasibility study, comparison will be made on what areas or pumping stations are already in place. If ever there will be an additional

Issues and Concerns Raised	Response
	<p>capacity needed, that area/s will then be implemented.</p> <p>All pumping stations will be reconstructed, and other pumping stations will just undergo improvement/upgrading.</p> <p>The preparation/conduct of feasibility study is needed for the determination of the capacity of each pumping station and identification of the appropriate work needed on the drainage area.</p> <p>The funding of the Project is as a whole. Focus is on the rehabilitation of pumping stations and the improvement of the waterways.</p>
Assistance of the LGU Malabon to DPWH	Comprehensive Land Use Plans were already provided. All activities will be closely coordinated with the LGU.
ROW of the Pumping Stations	<p>Discussion of ROW or access road during construction were conducted with DPWH and World Bank due to World Bank's instruction/advice to focus only on the TFs.</p> <p>The RAP Team will also discuss with the Consultant Technical Team. The Consultant will inform the LGU once the final plans and study are provided.</p> <p>The relocation is limited only to those who are living along the TF.</p>
Information Dissemination to LGU regarding Scope of the Project and Compensation for PAPs	The alignment/TF can only be provided using Google Earth, but will be asked from the Technical Team for further information. After IEC meeting, the ROWAP Team will conduct the Stakeholders' Consultation Meeting (SCM) and field survey. After the survey, the extent or the impact on structures and/or property of the affected person will be identified.
Access for Hauling of Debris from Pumping Stations	Discussion with the Technical Team for the plans and procedures on how to address the concern will be conducted. The Team will prepare an Environmental and Social Management Plan (ESMP) for the mitigation of negative impacts to the environment.
Coordination with the Barangays for the Conduct of Consultations	Coordination with the City Engineering Office to advise the affected barangays will also be done.

Source: DPWH

10.2. Consultations Proceedings

The consultations conducted are shown in the table below. Consultations were held to present the Project's overview and background, focusing on the resettlement process, compensation entitlements, and the rationale for determining these entitlements. The discussions emphasized the transparency of the process, humane treatment of affected families, and detailed the activities to be conducted on the ground to ensure fairness and compliance with the Project's resettlement policies. Feedback from stakeholders was encouraged to address concerns and foster a participatory approach in implementing resettlement measures.

Table 10.3. Summary of Consultation Meetings

Date	Participants	Methods	Number of Participants		
			Male	Female	Total
March 22, 2023	Landowners of Brgy. Ibaba, SAMAGA Association, DPWH, DOHWA	Face-to-Face	4	2	6
May 05, 2023	Landowner, DPWH, DOHWA	Face-to-Face	3	3	6
June 05, 2023	Landowner, DPWH, DOHWA	Face-to-Face	5	3	8
July 25, 2023	Samahan Balikatan Matadero Beacum Magsaysay Homeowners Association	Face-to-Face	9	4	13

Source: DPWH

A summary of the main concerns/issues raised during the consultations is provided in the table on the next page.

Table 10.4. Summary of Issues and Concerns During the Consultations

Issues and Concerns Raised	Response
Inquiry if the remaining area would be automatically acquired by DPWH	It was clarified that only the affected areas will be acquired since the remaining land is still viable for any development.
Inquiry on the issuance of NOT and what will happen next	NOT will be issued by DPWH once the land acquisition plan is approved. The DPWH will issue a request for donation. If the individual will not donate the property, the DPWH will give an OTB for negotiation on acquisition.
Inquiry on number of days for response after the receipt of OTB	The landowners may submit their acceptance of the offer within 30 days after receipt of OTB.
Inquiry on the payment for affected structures	The DPWH will conduct a survey to assess the value of the property and will be paid based on the replacement cost of the structure.

Source: DPWH

11. IMPLEMENTATION SCHEDULE

Table 11.1. Implementation Schedule

Activity	2021-2024	2024		2025				2026		
	(Q2)	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3
Establishment of ROW Implementation Team (with full-time staff)										
Adoption of LIAC to the project										
Strengthening of GRM, and establishment cum capacity building of Public Appointment/deployment of Community Contacts										
Coordination with and establishment of implementation arrangement with the Social Housing Finance Corporation for the payment of compensation of PAFs who are Community Mortgage Program (CMP) recipients										
Establishment of Local Helpdesk per barangay										
i. Offer of relocation options										
ii. Receive and resolve grievances										
LAND ACQUISITION										
ROW Acquisition Plan Validation										
Land/Structure Appraisal by Government Financial Institutions (GFI)										
ROW Acquisition Plan Implementation										
Issuance of the NOT										
Request for Donation (RFD)										
OTB										
100% Payment of Land										
Transfer of Titles										
Clear the ROW/Demolition of Structures										
Issuance of Agreement to Demolish and Remove Improvements (ADRI)										
100% Payment of Structures										
PRE-RELOCATION ACTIVITIES										
ASSISTED RELOCATION										
Gathering of requirements from PAFs										
Submission of requirements to LGU										
Endorsement of LGU to NHA for pre-qualification										
a. Issuance of AML										
b. Validation of LGU based on AML										
c. Raffle of housing units										
Signing of the Agreements to Demolish and Remove Improvements (ADRI)										
SELF-RELOCATION										
Due Diligence of areas proposed by PAFs for self-relocation										
Payment of compensation of structures										
Signing of ADRI										
ACTUAL RELOCATION ACTIVITIES										
Moving out of structures										
Demolition of structures										
ASSISTED RELOCATION										
Transfer to relocation site										
a. Issuance and signing of entry pass										
b. Issuance of unit key										
c. NHA and LGU orientation										
Provision of financial assistance										
SELF-RELOCATION										
Transfer to new residence										
POST RELOCATION ACTIVITIES										
Implementation of Livelihood Restoration and Improvement Plan										
Internal monitoring & evaluation										
External monitoring & evaluation										

Source: DPWH

12. BUDGET REQUIREMENT

This ROWAP includes the compensation for land and structures, rehabilitation and other restoration/assistance entitlements of affected people/households, and administrative costs with breakdown. The cost estimates shall make adequate provision for contingencies. The estimated cost will be included in the total project cost, which may decrease or increase during the implementation of the resettlement plans. The DPWH as the implementing agency/proponent will make sure that funds will be made available as soon as there is notice for the budget release.

Furthermore, this ROWAP will streamline the process of compensation by making the different types of payment at one time and effecting the full compensation, rather than paying installments which delay the ability of an affected person to restore their livelihood and incur costs to the Project in terms of interest.

The amount of fund for the implementation of the ROWAP is **Php 31,169,124.36** only, including 10% Project Administration Cost and 15% Contingency. The particulars of the ROWAP Cost are shown in Table 12.1.

Table 12.1. ROW Acquisition Plan Budget

Particulars	PAPs or lots	Unit Cost (Php)	Total Cost (Php)	Equivalent in USD
				(USD 1 = Php 55.00)
Affected Land*	9**	varies	21,897,600.00	398,138.18
Affected Structures	3	varies	637,024.00	11,582.25
Transfer assistance for trucking, vehicle for PAFs, and assistance for vulnerable persons	3	10,000.00	30,000.00	545.45
Livelihood assistance for skills training for employment and micro-enterprises, starter kits, and securing clearances and permits for employment and micro-enterprises	3	15,000.00	45,000.00	818.18
Inconvenience Allowance for Vulnerable Persons	3	10,000.00	30,000.00	545.45
Internal Monitoring***	1	1,000,000.00	1,000,000.00	18,181.82
External Monitoring and Evaluation***	1	1,000,000.00	1,000,000.00	18,181.82
Subtotal			24,639,624.00	447,993.16
Project Administration, Inter-Agency Coordination (10%)			2,463,962.40	44,799.32
Subtotal			27,103,586.40	492,792.48
Contingency (15%)			4,065,537.96	73,918.87
Grand Total			31,169,124.36	566,711.35

Source: DPWH

*Please see Table 5.3 for the breakdown of land cost for 9 lots.

**There are 13 lots affected and only 9 lots are within the private land which require acquisition.

12.1. Procedures for Flow of Funds

The UPMO-FCMC of DPWH is responsible for providing the needed funds for the implementation of the resettlement plans. The DO 119 s. 2017 stipulates the creation of UPMO-ROW Task Force that will manage the acquisition of ROW, and processing and payment of claims. Payment of ROW claims shall also be made by the DPWH Central Office in accordance with the said DO. The resettlement housing units will be paid by the qualified beneficiaries. Funds for social services and livelihood at the relocation site will be provided by DPWH and will be downloaded to LGU and the beneficiaries.

12.2. Funds as Financial Assistance for ISFs

A MOA between the IA and the Land Bank of the Philippines (LBP) for the disbursement of compensation to each PAHs will be prepared, in which the financial assistance will be given directly to them through their LBP personal accounts.