



### ACQUISITION OF RIGHT OF WAY

ACTIVITY	RESPONSIBLE UNIT/ PERSON	OBJECTIVE	RISK FACTOR	LIKELIHOOD OF OCCURRENCE	SIGNIFICANCE OF IMPACT	CONTROL ACTIVITY/ MECHANISM	ASSESSMENT OF CONTROL OR SAFEGUARD	AREA FOR IMPROVEMENT
<b>1.Notify Property Owner of Affected Property</b>	Legal Office of the PMO, ROW Task Force, PMO Consultant	To inform the property owner, those who are directly benefited by the project	Collusion and Bribery	Low	Low			
<b>2. ROW Task Force/Engineering conducts evaluation/site inspection</b>	Legal Office of the PMO, ROW Task Force, PMO-Engineering Services	To evaluate/ conduct site inspection of the property needed for the project	Collusion and Bribery	Low	Low		Property owners would find it difficult if not impossible to offer bribes to the negotiating team since the output of the Task Force is subject to review and approval of an Inter-Agency Committee.  Basis of offer in negotiation is the BIR Zonal valuation	



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<b>3. Conduct Appraisal by Inter-agency Appraisal Committee (IAC)</b>	Legal Office of the PMO/ ROW Task Force, Project Engineer, Inter agency Appraisal Committee	To appraise the property	Collusion	High	High	<p>Review and approval by the Inter-agency Committee</p> <p>Valuation and purchase price ascertained by the appropriate Appraisal Committee composed of MMDA, DPWH, and LGU where the property is located/situated</p> <p>Irrespective of the date of actual occupancy when a contract of lease of private land and/or building is accomplished, the rentals therefore shall be determined, appraised and certified as reasonable by the LRTA Corporate Auditor or Project Auditor, as the case maybe</p>	<p>Output is subject to review and approval of an Inter-Agency Committee. Likewise, the purchase price is being determined by the Appraisal Committee composed of different agencies and LGU.</p> <p>Although the rate is certified reasonable by the LRTA Auditor, the same is a pre-audit function which is against auditing rules and regulations. The Auditor will be constrained to pass the transactions in post-audit despite discrepancy found after pre-</p>	Include private sector or NGO representative as IAC member



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							audit	
<b>4. Prepare Letter of Offer</b>	Legal Office of the PMO/ ROW Task Force	To negotiate with the property owner of the property needed for the project for the purchase of the said land, including the improvements	Collusion	Low	Low			Strict enforcement of 15 day period on consideration of offer
<b>5. Prepare contract</b>	Legal Office of the PMO/ ROW Task Force, Project Engineer, Property Owner	To execute the contract	Misrepresentation	Low	Low			
<b>6. Prepare Certificate of Budget Availability</b>	Finance Officer/Corporate Budget Officer	To determine whether funds are available for the project	Delays	Low	Low			



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<b>7. Signing of Contract</b>	Legal Office of the PMO/ ROW Task Force, Property Owner	Due execution of the contract	Collusion	Low	Low	All contracts approved by the LRTA Board of Directors in accordance with LRTA Board Resolution No. 97-32.		
<b>8. Payment of taxes</b>	Legal Office of the PMO/ ROW Task Force, Property Owner	To facilitate payment of real property taxes	Collusion	Low	Low	All taxes deducted shall be immediately remitted to BIR or the City or Municipal Treasurer	Assessment is made by the BIR not the Agency officials.	
	Legal Officer					Review and initial by the Senior Corporate Attorney (Legal Office)  Review DV and supporting documents and certifies on Box A of the DV by the Project Management or the Assistant Project Manager for Finance and Administrative Departments.		



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<b>9. Preparation of Disbursement voucher and supporting documents</b>	Finance		Bribery  Misrepresentation by property owners	Low	High	Reviews DV and supporting documents and initials on Box C by the APM for Finance and Administrative Services or the Finance Officer  Reviews DV and supporting documents and certifies Box B by the Finance Officer.	Establish amount limit for approval of DV	
<b>10. Prepare Check/payment</b>	Cashier		Collusion and Bribery	Low	Low	Review and approval of the DV and supporting documents by the Project Director/Administrator or Project Manager  APM for Finance and Administrative Services or Finance Officer signs the check. Project Director/Administrator or Project Manager counter signs the check.	Establish limit on the signing and counter signing of checks of LRTA officials	



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<b>11. Payment/Delivery of Title</b>	Legal Office/ROW Task Force, Property Owner  LRTA's Asset Management Division		Document security	High	High	PMO Director maintains summary of properties and amount of payments made.  Project folios kept by PMO containing all documents pertaining to each lot except TCTs in name of LRTA.  Legal division has photocopy of TCTs in LRTA name but no single list.	No system for tracking and inventory of titles after payment and delivery.	Conduct audit after payment of first tranche to ensure validity of transactions and completeness of documents  Clarify roles among process owners: PMO, Legal, Audit, Accounting, Treasury
<b>12. Safekeeping of Title</b>	Treasury	To ensure that real estate property are properly stored for safekeeping.	Document security	High	High	Original titles are kept in treasury vault.  Finance maintains a list of TCTs number, previous property owner, but incomplete information.	No clear written guidelines on safekeeping as a result 9 titles unaccounted for by COAA Audit Memo of 2004. These were reportedly borrowed by previous owners.	Immediate inventory by Audit  Define system for handling, inventory and safekeeping of titles



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							Internal Audit has not done inventory of titles	



**CVA Issues Worksheet**

ISSUE/VULNERABILITY AREA	INITIAL ASSESSMENT/PRIORITY	STRATEGY (What information do you need to analyze the issue and how do you intend to get it?)		
		PERSON TO INTERVIEW	DOCUMENTS NEEDED	AREAS TO BE VISITED
Conduct of Appraisal by the Inter-agency Appraisal Committee	Property owners may offer bribe/s to the Inter-agency Appraisal Committee to give appraisal which is more advantageous to the property owner.	ATTY. ELMO STEPHEN P. TRISTE Manager, Administrative Department	Minutes of the Meeting of the IAC	Central Office
Safekeeping of Title	No specific policy on the handling and safekeeping of titles.	ATTY. AYLWINSTON C. PILLOS Senior Corporate Attorney		Central Office