

**[DAR MEMORANDUM CIRCULAR NO. 15, S. 2013,
August 22, 2013]**

**REVISED GUIDELINES AND PROCEDURES GOVERNING LAND
SURVEY BY CONTRACT**

This circular governing the implementation of survey by contract of lands covered under the Comprehensive Agrarian Reform Program (CARP) is hereby issued:

I. COVERAGE

These guidelines shall apply to the survey of lands covered under the Comprehensive Agrarian Reform Program (CARP) for implementation by contract including, but not limited to survey works such as subdivision, segregation and perimeter land use mapping.

II. POLICY STATEMENTS

- 2.1 Forest reserves, communal forests, or other government civil or military reservations are excluded from the scope of Department of Agrarian Reform (DAR) survey projects. Any survey undertaken within these reservations shall not be paid for by the Department.
- 2.2 As a general rule, only those landholdings that are within the coverage of CARP pursuant to RA 6657, as amended by RA 9700 and covered by approved Requisition for Survey Services (RSS) pursuant to Memorandum Circular No. 1, Series of 2008^[1] and Administrative Order No. 7, Series of 2011^[2] shall be moduled and bidded to survey contractors. However, in case the DARPO concerned is having difficulty in the research of technical data needed in the correction of defective technical descriptions, a survey project module composed of landholdings with this problem may be bidded but at a higher cost parameter to account for additional expenses that would be incurred in research.
- 2.3 The bidding of DAR survey projects shall be in accordance with R.A. 9184 also known as "The Government Procurement Reform Act of 2003" and its Implementing Rules and Regulations.

III. GUIDELINES AND PROCEDURES

3.1 Preparation of Survey Project Module

- 3.1.1 In accordance with section B.1.4 of MC No. 1, Series of 2008, and Sections II.D.1 and II.D.2 of the Operations Manual of AO No. 7, s. 2011, survey project module which consists of landholdings with approved RSS shall be prepared taking into

consideration the provincial LTI programs and targets pursuant to RA 9700. Separate survey modules shall be prepared for new lands and collective CLOAs.

3.1.2 To effect facility and economy in the survey operations, each survey module as much as possible shall be limited to land holdings which are adjacent to each other, or located in the same barangay or within the same municipality.

3.2 Calculation of Approved Budget for the Contract (ABC)

3.2.1 The DAR Provincial Geodetic Engineer and the DAR Regional Geodetic Engineer shall prepare separate estimates of the cost of the survey project module. The average of the provincial and regional estimates shall be recommended to the Provincial Agrarian Reform Officer (PARO) as the Approved Budget for the Contract (ABC) for a particular survey project module. In case the DAR Provincial Office (DARPO) has no Geodetic Engineer, one of its engineers involved in survey implementation can prepare the provincial estimate.

3.2.2 In addition to activity costing, factors such as project location, accessibility and availability of transport, nature of terrain and other factors that may affect field operations shall be included in estimation of the ABC.

3.2.3 The cost of survey contract shall be computed using the form presented in Annex A and the contract duration shall be determined based on the parameters enumerated in Annex B.

3.2.4 The proposed budget once approved by the PARO shall be adopted as the Approved Budget for the Contract (ABC) for that particular survey project module. The ABC shall at all times be within the allocated Provincial budget for surveys.

3.3 Bids and Awards Committee

The DARPO Bids and Awards Committee (BAC) shall assist the PARO in the procurement of services of survey contractor with functions and responsibilities in accordance with Article V of RA 9184. The Regional Geodetic Engineer shall be a mandatory member of the BAC in the bidding of survey projects.

IV. QUALIFICATIONS AND DISQUALIFICATIONS OF PARTICIPANTS/SURVEY CONTRACTORS

4.1 Participation in public bidding for CARP Survey Projects shall be open to all duly registered and licensed Geodetic Engineers (G. E.) as well as Corporations, Partnerships, Joint Venture Arrangements and Cooperatives authorized to engage in the business of land surveying and mapping.

4.2 The following are grounds for disqualification from participation in the public bidding of CARP Survey Projects:

4.2.1 For Individual GE Contractor

- a. One presently employed in the government service.
- b. One who has been declared as a contractor of not in good standing by the DENR, DAR, NIA, LRA, or other government agencies contracting survey projects.
- c. One whose CARP survey contract has been abandoned, rescinded or terminated due to his/her/its fault or negligence as determined by the PARO. Abandonment means the deliberate intention on the part of the GE not to continue executing the project in accordance with the contract without valid reasons.
- d. One who refused or failed to complete correction work within the required time limit. However, a Geodetic Engineer who submitted the corrected work beyond the time limit required, but such work was approved by the Regional Technical Director concerned before the bidding, may still be allowed to participate.

4.2.2 Partnerships, Corporations, Joint Venture Arrangements and Cooperatives falling under the category of GE contractor enumerated under Section 4.2.1 above are also disqualified to participate in the bidding of CARP Survey Projects.

4.3 The qualifications/disqualifications criteria enumerated above may be included in the bidding documents.

V. BIDDING DOCUMENTS

Bidding documents shall be made available to all prospective bidders at the DARPO on the date specified in the Invitation to Apply for Eligibility and to Bid (IAEB) upon submission of Letter of Intent and payment of a non-refundable fee of One Thousand Pesos (Php1,000.00).

VI. EXECUTION OF WORK

6.1 Research and Pre-survey Verification

6.1.1 As soon as the Contractor receives the notice of award, he/she shall immediately conduct research work in areas where the technical documents could not be provided by the DAR.

6.1.2 After the research, in order to ascertain the workability of the lots included in the awarded module, the Contractor shall conduct presurvey verification which will include the following activities:

- a. Technical review to determine if the lots are not problematic e.g. with open parcel, inconsistency in the areas per title,

- plan or technical description; and,
- b. Verification with the DENR-LMS as to land classification, overlapping with existing plans, etc.

6.1.3 After the research, the Contractor shall prepare and submit the list of workable and problematic lots to the PARO for approval and appropriate action based on the research and verification made.

6.1.4 The PARO shall advise the Contractor to proceed with the field survey of the workable lots and provide list of lots as replacement of the problematic lots within two (2) days from receipt of the list from the GE-contractor. The replacements shall have a total area equal to or bigger than the areas of the problematic lots to be replaced. In addition, the replacement lots shall have the same location (barangay or municipal) and physical features of the replaced lots.

6.2 Conduct of Initial "Pulong-Pulong"

6.2.1 The Contractor shall start the operation of the survey project within five (5) days from the receipt of the advice from the PARO to proceed with the field work of the workable lots and, at the same time, the Contractor shall also conduct research and verification of the replacement lots.

6.2.2 Before the start of field operations, the MARO, upon receipt of the notice of the contractors schedule, shall invite in writing the concerned Barangay Agrarian Reform Council (BARC), *Barangay* Chairperson, tenant/beneficiaries and land owners to attend a meeting known as the "initial pulong-pulong" The MARO shall during the said meeting acquaint the concerned parties of their duties and responsibilities during the survey. On the other hand, the Contractor shall discuss his/her its work plan and timeframe to allow the parties to adjust their respective schedules so that there will be congruency in activities.

The Contractor shall establish a field office in any convenient place within the Module coverage, which shall likewise be made known to the PARO, MARO, the Barangay and BARC Chairpersons concerned. The working place shall be maintained until the final *pulong-pulong* or upon certification from the MARO of its removal from the area.

6.3 Conduct of Field Works

6.3.1 After the initial "pulong-pulong", the Contractor shall relocate the boundary of the entire property and mark all corners with the prescribed markers/monuments.

For LBP-Compensable Landholdings to be Issued With Individual CLOAs