



## GUIDELINES AND PROCEDURES IN ENTERING INTO A CONTRACT FOR LAND UTILIZATION

U.P. LAW CENTER  
OFFICE of the NATIONAL ADMINISTRATIVE REGISTER  
Administrative Rules and Regulations

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BUREAU OF CORRECTIONS NBP Reservation, Muntinlupa City, Philippines, 1776  
Telephone No: 8850-0062/8659-0832



# Bureau of Corrections




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### APPROVAL

Prepared By:	Recommended By:	Approved By:
BuCor Business Center (BBC)		
Submitted By:		
 C/CSUPT MELENCIO S FAUSTINO DIRECTOR, BLCMC	 ASSEC. AL I PERRERAS, AFP (Ret.) DDGA CHAIRPERSON, DPMB	 GEN. GREGORIO PIO P CATAWANG, JR., AFP (Ret.), CESE, CCLH DIRECTOR GENERAL, BUCOR





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### 1. REFERENCES

- 1.1. Republic Act No. 10575 otherwise known as "An Act Strengthening the Bureau of Corrections and Providing Funds Therefor" and its Revised Implementing Rules and Regulations;
- 1.2. 2023 NEDA Revised Guidelines and Procedures for Entering into Joint Venture (JV) Agreements Between Government and Private Entities;
- 1.3. General Order No. 30 s. 2019, dated 15 July 2019, signed by the then USEC NICANOR E FAELDON, Director General, BuCor re: Activation of BuCor Business Center;
- 1.4. General Order No. 07 s. 2020, dated 20 January 2020, signed by the then USEC GERALD Q BANTAG, Director General, BuCor re: Dissolution of the Bureau of Corrections Land Utilization and Development Board and Expanding the Authority and Functions of the BuCor Business Center;
- 1.5. Memorandum Circular Series of 2020 dated 12 October 2020, signed by the then USEC GERALD Q BANTAG, Director General, BuCor re: Guidelines of Revocable Business Permit;
- 1.6. BUCOR Special Order Number 2023-0338 dated 20 April 2023, signed by BUCOR DIRECTOR GENERAL GREGORIO PIO P CATAPANG JR. Re: Creation of the Bureau of Corrections Land Utilization Development (BLUD) Board in consonance with the provisions of the Revised IRR of R.A. 10575, specifically Section 6;
- 1.7. BUCORDA SPECIAL ORDER NUMBERS 2023-0468 dated 8 June 2023, signed by BUCOR DIRECTOR GENERAL GREGORIO PIO P CATAPANG JR., AFP (Ret.), CESE. Re: Renaming of the Board from BuCor Land Utilization (BLUD) Board to BuCor Land Development Board (BLDB) in consonance with Section 6 of the Revised IRR;
- 1.8. BC Disposition Form dated 14 June 2023 signed and approved by BUCOR DIRECTOR GENERAL GREGORIO PIO P CATAPANG JR., AFP (Ret.) CESE re: Action of BuCor Land Control and Management Center (BLCMC); and
- 1.9. General Order No. 36 s. 2023, dated June 2023, signed by BUCOR DIRECTOR GENERAL GREGORIO PIO P. CATAPANG JR. Re: Activation of BuCor Land Control and Management Center.





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### 2. RATIONALE

Republic Act (RA) No. 10575 or "The Bureau of Corrections Act of 2013", particularly Section 6 thereof, grants BuCor the absolute authority to design, formulate and implement land use development plans and policies.

Further, Rule VI, Section 6 of the revised IRR of RA 10575 provides for the creation of the BuCor Business Center (BBC) which shall be responsible for managing the assets of the Bureau. Its responsibility shall include evaluation of developmental projects and monitoring up to its eventual termination. It shall also be responsible for the acquisition of additional lands, titling of lands, and preservation of integrity of land holdings against encroachments, illegal settlers, and against granting of lands to beneficiaries through presidential proclamations.

Furthermore, Rule VI, Section 6 of RA 10575 and its revised IRR states that BuCor lands shall be used as a means to promote sustainability, both income and non-income generating programs, with or without partnership among non-government organizations, civic organizations, or other government entities.

Finally, Rule VI, Section 6(a)(4) of the revised IIR provides that BuCor may opt to plan, develop, operate, and segregate a portion of its land for the use of ECOZONES or Special Economic Zones (SEZ) which have the potential to be developed into agro-industrial, industrial, tourist, recreational, commercial, banking, investment and financial centers, which may contain any or all of the following: Industrial Estates (IEs), Export Processing Zones (EPZ), free trade zones and tourist and recreational centers;

Thus, guidelines and procedures for entering into agreements with public and private entities are vital in the evaluation, approval, payment, monitoring, and revocation of all income and non-income-generating projects entered into by the BuCor.

### 3. OBJECTIVES

3.1. To have standardized guidelines and procedures in entering into Lease Agreements, Memorandum agreements, Memorandum of Understanding, and Joint Venture agreements involving all income and non-income-generating programs entered into by the Bureau of Corrections in partnership with the private sectors, non-government organizations, civic organizations, or other private and public entities.





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### 4. SCOPE

This applies to groups of individuals, private and public corporations, non-government organizations, state universities and colleges, companies, firms, non-government and government entities, and the like who intend to venture into macro business, joint venture agreements, and memorandum of agreement with BuCor.

### 5. DEFINITION OF TERMS

- 5.1. **Anti-Squatting Unit (ASU)** – refers to the operational unit under the direct control and supervision of the BuCor Land Control and Management Center (BLCMC) that is responsible for the protection of the BuCor's land assets against all kinds of intrusions.
- 5.2. **Applicant** – refers to government and non-government entities and organizations which intend to venture into business or enter into partnership with the Bureau of Corrections.
- 5.3. **Approving Authority** – refers to the BuCor Director General or his duly authorized representative.
- 5.4. **BuCor Business Center (BBC)** – refers to the office established pursuant to Republic Act No 10575, under the control and supervision of the Director of BLCMC, which is responsible for managing the BuCor land assets, evaluation of developmental projects and monitoring up to its eventual termination, and preservation of land holdings integrity against encroachments.
- 5.5. **BBC-Asset Management Division (BBC-AMD)** – refers to the office created under the BBC responsible for titling and securing BuCor lands and formulating policies and procedures on land use, land use development, and acquisition.
- 5.6. **BBC-Business Operation and Development Division (BBC-BODD)** – refers to the division under the BBC primarily responsible for evaluating business proposals of individuals' enterprises, companies, firms, and alike who intend to venture into business with the Bureau of Corrections.
- 5.7. **BBC-Technical Service Division (BBC-TSD)** – refers to the division created under the BBC which is responsible for performing functions and responsibilities relative to technical and engineering aspects of the BuCor Business Center (BBC).





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- 5.8. **BBC-Support Services Division (BBC-SSD)** – refers to the division created under the BBC responsible for administrative support services to the BBC relative to records, correspondence with other offices, and personnel management.
- 5.9. **BuCor Land Control and Management Center (BLCMC)** – refers to the office under the direct supervision of the Director General established pursuant to RA 10575 and its Revised Implementing Rules and Regulations that has overall control and supervision to BBC, Agro-Industrial Section, and Anti-Squatting Unit for effective and efficient control, administration, and management of BuCor's land assets.
- 5.10. **BuCor Land Development Board (BLDB)** – refers to the Board created pursuant to Section 6 of the Revised Implementing Rules and Regulations of R.A. 10575, which has the overall power to review all approved land development or utilization contracts, and the authority to approve and disapprove proposed land development or utilization contracts. Its comment and recommendation shall have the authority to determine whether the application shall proceed through the next process or not.
- 5.11. **BuCor Security and Escort Command (BSEC)** – refers to the operational unit in the national headquarters under BLCMC which is mainly responsible for the peace and order in NBP reservation.
- 5.12. **Camp Commander** – refers to the BuCor Commissioned Officer responsible for overseeing and managing the operations within a specified Security Camp in an OPPF.
- 5.13. **Concessionaire** – refers to the holder of a valid contract purposely to venture into business with the BuCor.
- 5.14. **Cooperative** – refers to the autonomous and duly registered association of persons, with a common bond of interest, who have voluntarily joined together to achieve their social, economic, and cultural needs and aspirations by making equitable contributions to the capital required, patronizing their products and services and accepting a fair share of the risks and benefits of the undertaking in accordance with universally accepted cooperative principles.<sup>1</sup>
- 5.15. **Certificate to Operate** – refers to the certification issued by the BBC granting a concessionaire the authority to operate.

<sup>1</sup> R.A. 9520, Article 3





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- 5.16. Construction Permit** – refers to an official document issued by the BBC to the Concessionaire or its contractor authorizing to proceed with its requested construction. It contains relevant information such as the duration of the construction, authorized personnel to work in the construction, lists of equipment needed, lists of vehicles to be used when entering the reservation, and the terms and conditions.
- 5.17. Corporation** – refers to an artificial being created by operation of law, having the right of succession and the powers, attributes, and properties expressly authorized by law or incident to its existence.<sup>2</sup> Corporation may be public or private.<sup>3</sup>
- 5.18. Disposition Form (DF)** – refers to an action paper generally used for correspondence between elements of an organization to obtain comments, coordination, or other actions and is usually preprinted with data to facilitate the preparation of routinely securing correspondence.
- 5.19. Draft Agreement** – refers to a written document containing an agreement between the BuCor and the applicant which is subject for review by the BuCor Directorate for Comptrollership and BuCor Legal Service prior to the approval of the BuCor Director General.
- 5.20. Joint Venture Agreement (JVA)** – refers to a written instrument which arises from contractual association between the BuCor and the other party/ies who intend to carry out a common business purpose or adventure for their mutual profit whereby the parties combine their efforts, properties and knowledge without formally organizing a partnership or corporation.<sup>4</sup>
- 5.21. Macro Business Enterprise** – refers to a business enterprise not falling within the category of micro business enterprise with capital assets of more than three (3) million pesos.
- 5.22. Memorandum of Agreement** – refers to a legal document that describes in general terms and details a cooperative relationship between BuCor and other party/ies to work together on a project or to meet agreed-upon goals and objectives.
- 5.23. Memorandum of Understanding** – refers to an agreement between the BuCor and other party/ies outlined in a formal document. It is not necessarily legally binding, which depends on the signatories' intent and the language

<sup>2</sup> Act No. 1459, Section 2

<sup>3</sup> Act No. 1459, Section 3

<sup>4</sup> Javier, Forms of Legal Documents Annotated, 2013, p. 673.





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in the agreement, but signals the willingness of the parties to move forward with the contract.

- 5.24. Micro Business Enterprise** – refers to any business entity or enterprise engaged in the production, processing or manufacturing of products or commodities, including agro-processing, trading and services, whose total assets including those arising from loans but exclusive of the land on which the particular business entity's office, plant and equipment are situated, shall not be more than Three Million Pesos (P3,000,000.00).
- 5.25. Operating Prison and Penal Farm (OPPF)** – refers to the corrections facilities which includes the New Bilibid Prison, Correctional Institution for Women, Leyte Regional Prison, Davao Prison and Penal Farm, San Ramon Prison and Penal Farm, Sablayan Prison and Penal Farm, and Iwahig Prison and Penal Farm.
- 5.26. OPPF Superintendent** – refers to the Superintendent or one in charge of an Operating Prison and Penal Farm.
- 5.27. Parties** – refers to any person, corporation, or entity, whether private or in the government sector, that has entered into an agreement with the BuCor.
- 5.28. Partnership** – refers to a contract between two or more persons that agree to contribute money, property, or industry to a shared fund to split the profits among themselves.<sup>5</sup>
- 5.29. Reservation Security and Escort Command (RSEC)** – refers to the counterpart of BSEC in other OPFFs.
- 5.30. Security Camp** – refers to a large enclosed area with dormitories, sports facilities, classrooms, medical facilities, religious facilities, and other necessary facilities where national inmates/prisoners are confined to serve their sentence. There are at least three (3) types of security camps: Maximum Security Camp, Medium Security Camp, and Minimum Security Camp. (Jailed inmates are confined in "prison cells" called "jails" – not in security camps, while undergoing court trials or awaiting court sentence.)
- 5.31. Sole Proprietorship** – refers to an organization in which an individual personally owns the business. The sole proprietorship has no separate legal personality from its owner and the latter is personally liable for all its debts

<sup>5</sup> Article 1767 of the New Civil Code of the Philippines







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and obligations. Registration of sole proprietorships is with the Department of Trade and Industry ("DTI")<sup>6</sup>.

### 6. GUIDELINES

#### 6.1. REQUIREMENTS

##### 6.1.1. Requirements

- 6.1.1.1. SEC Articles of Incorporation, Articles of Partnership and Corporate By-Laws;
- 6.1.1.2. SEC General Information Sheet;
- 6.1.1.3. Letter of Intent addressed to the Director General, Bureau of Corrections through the Chief, BuCor Business Center;
- 6.1.1.4. Board Resolution authorizing the Representative and Secretary's Certificate (if applicable);
- 6.1.1.5. Business Proposal or Project Profile;
- 6.1.1.6. Photocopy of two (2) valid IDs;
- 6.1.1.7. Company Profile, including financial capability;
- 6.1.1.8. DTI Business Permit;
- 6.1.1.9. Mayor's Business Permit;
- 6.1.1.10. Sanitary Business Permit (if needed in the nature of business);
- 6.1.1.11. Sketch of the proposed location of the business;
- 6.1.1.12. Proposed Development Plan/Subdivision Plan/Floor Plan or analogous plans needed in their business proposal;
- 6.1.1.13. Draft Contract of Lease, MOA, MOU or JVA.

<sup>6</sup> <https://elegal.ph/guerilla-guide-for-startups/index.php/ii-business-organizations/>





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### 6.2. PROCEDURES

#### 6.2.1. Application Process<sup>7</sup>

- 6.2.1.1. All applications for macro business or project proposals, together with all the requirements under par. 6.1.1 shall be submitted to BuCor Business Center (BBC), which the BuCor Business Center-Support Services Division (BBC-SSD) shall receive and record. The BBC-SSD will then transmit the documents to the BuCor Business Center-Business Operation and Development Division (BBC-BODD).
- 6.2.1.2. The BBC-BODD shall conduct an initial assessment of the business application to determine compliance to par. 6.1.1. If the requirements are fully satisfied, then the BBC-BODD, in compliance with the Memorandum on Complete Staff Work, shall seek comment and recommendation from the OPPF Superintendent on whether the business or project proposal is feasible in his/her area of jurisdiction. If the business application requires utilization of land within the Camp (MaxSeCamp, MedSeCamp, MinSeCamp), then the BBC-BODD shall seek comment and recommendation from the concerned Camp Commander in addition to the comment and recommendation of the OPPF Superintendent. If denied, the BBC shall inform the applicant within five (5) days through writing and the copy of the denial of the Memorandum of Agreement, stating therein the reasons for such denial.
- 6.2.1.3. If the proposed project is feasible as certified and recommended by the OPPF Superintendent, the BuCor Business Center-Technical Services Division (BBC-TSD) shall conduct a survey and/or inspection to ascertain the exact area, size, and technical description of the land.
- 6.2.1.4. Based on the BBC-TSD's submitted report, the BBC-Asset Management Division (BBC-AMD), in consultation with the Directorate for Comptrollership as the case may be, shall determine the lease price, if any, or consideration of the contract.

<sup>7</sup> Annex A - Process Flow Chart of BuCor in Entering Memorandum of Agreement





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- 6.2.1.5. Thereafter, the Chief, BBC, through the Director, BLCMC, will transmit the entire documents to the BuCor Land Development Board (BLDB) for the latter's review on whether the proposal is in accordance with the approved land utilization.
- 6.2.1.6. If BLDB finds the proposal in order, the Chief, BBC will prepare a Disposition Form, which shall be routed to the 1) Director, BuCor Land Control and Management Center, 2) Deputy Director General for Reformation, 3) Deputy Director General for Security and Operation, 4) Chief Legal Service, and, lastly, to the 5) Deputy Director General for Administration prior to the Director General's approval.
- 6.2.1.7. If the Director, BLCMC finds the Contract to be beneficial to the government, and the three (3) Deputy Director Generals mentioned above assent and interpose no objection, and the Chief, Legal Service finds the contract to be legally in order as to form and substance, the DF shall now be forwarded to the BuCor, Director General for his perusal, review, and approval.
- 6.2.1.8. If approved and signed, the Contract, together with the complete documents of the approved macro business or project, shall be transmitted to the Chief, BBC for notarial processing, issuance of a note to pay the initial lease, and issuance of a Certificate to Operate<sup>8</sup> officially declaring the applicant as a Concessionaire. The incidental expenses thereto shall be shouldered by the Concessionaire. Thereafter, BBC shall prepare the necessary communication to the OPPF Superintendent for its full implementation.
- 6.2.1.9. If the Concessionaire wishes to amend, revise, or modify the Contract, it must be approved first by the concerned offices and, lastly, by the BuCor, Director General. This ensures that such revision, amendment, alteration, or modification is still in line with the Bureau's primary mandates and in the best interest of the Bureau.
- 6.2.1.10. The BBC shall retain four (4) copies of the executed Contract: one (1) for the BBC, one (1) for BLCMC, one (1)

<sup>8</sup> Annex B – Certificate to Operate





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for the Directorate for Planning and Management (DPM), and one (1) for the Legal Service.

### 6.2.2. Issuance of BuCor Construction Permit<sup>9</sup>

6.2.2.1. Concessionaire shall secure a permit to the BBC-BODD prior to construction or development of such by submitting a letter request addressed to the Chief, BBC with corresponding documents, to wit:

6.2.2.1.1. Photocopy of Memorandum of Agreement with BuCor;

6.2.2.1.2. Photocopy of Certificate to Operate issued by the BBC;

6.2.2.1.3. Building Construction Permit from LGU where the target area is located (if applicable);

6.2.2.1.4. Environmental Compliance Certificate from DENR (if applicable);

6.2.2.1.5. Tree Cutting Permit from DENR (if necessary);

6.2.2.1.6. List of Construction Materials/Equipment;

6.2.2.1.7. Photocopy of Contract with the Building Contractor (if applicable);

6.2.2.1.8. Photocopy of Building Contractor's IDs;

6.2.2.1.9. List and photocopy of IDs of construction workers; and

6.2.2.1.10. List of automobile services that will be used by the contractor and workers in entering the reservation.

6.2.2.2. The BBC-BODD personnel shall check the completeness of the submitted documentary requirements.

<sup>9</sup> Annex C - Process Flow Chart for Issuance of Construction Permit





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6.2.2.2.1. If documents are complete, an action slip shall be forwarded to the BBC-TSD to conduct an actual site inspection, otherwise, the applicant shall be notified to comply with the lacking requirements.

6.2.2.3. The BBC-TSD shall conduct an actual site inspection within two (2) days upon receipt of the action slip;

6.2.2.4. The BBC-TSD shall submit an After-Inspection Report to the Chief, BBC-BODD; and

6.2.2.5. The BBC-BODD shall review and evaluate the AIR. If approved, a Construction Permit<sup>10</sup> shall be issued to the Concessionaire. If disapproved, the BBC-BODD shall notify the Concessionaire in writing, stating the reasons for disapproval.

### 6.2.3. Payment of Rental Fess Process<sup>11</sup>

6.2.3.1. The Concessionaire shall request a Billing Statement<sup>12</sup> from the BBC-BODD office;

6.2.3.2. Thereafter, the Concessionaire shall present the Billing Statement to the Accounting Division, which shall be the basis for the latter's issue of the Order of Payment;

6.2.3.3. The Concessionaire shall pay the corresponding fees stated in the Order of Payment to the Cashier's Office.

6.2.3.4. Finally, the Concessionaire shall present the original Official Receipt (OR) to the BBC-BODD for recording and monitoring purposes.

## 6.3. TERMS AND CONDITIONS

6.3.1. The Concessionaire shall comply with the prison rules and regulations and the security requirements imposed by the BuCor. The Concessionaire shall be subject to prison rules and shall not be

<sup>10</sup> Annex D – Construction Permit

<sup>11</sup> Annex E - Process Flow Chart of Collection of Monthly Rental Fees

<sup>12</sup> Annex F – Statement of Billing





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allowed to introduce within the premises illegal items considered as contrabands and any flammable or combustible materials unless it is required to do so.

- 6.3.2. The Contract entered into shall be binding and shall inure upon the benefits of the Parties and their respective successors.
- 6.3.3. The business or project areas shall be free from all liens, encumbrances, and adverse claims of any kind and nature from any third party, and there is no pending or threatened action involving or likely to be involved in the affected areas.
- 6.3.4. The Concessionaire shall not enter into any agreement or assignment for the sale of the covered areas of business or project.
- 6.3.5. There shall be no existing agreement with any third party for the development of the affected areas, or any portion thereof, or the creation of any encumbrances thereon by any third party.
- 6.3.6. The areas covered by business or project shall not be subject to any deed of restriction or agreement which may otherwise affect the rights and interests of Parties.
- 6.3.7. Any right which either Party may have under the Contract shall be deemed waived only when the same is expressed in writing and duly notarized.
- 6.3.8. In case of amendment, variation or supplementary agreement on the approved Contract, the Concessionaire shall submit a Letter of Intent including the proposed amendment, variation or supplementary provision subject to review by the Director of BLCMC and BuCor Legal Service prior to the Director General's approval.
- 6.3.9. In case of renewal of the approved Contract, the Concessionaire shall submit a Letter of Intent sixty (60) days prior to the expiration date. It may, however, be renewed for a period of time as mutually agreed upon by the parties.
- 6.3.10. The Concessionaire shall not assign, sublease, mortgage, usufruct pledge, or grant a right in whole or in part of areas covered by the Contract.





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- 6.3.11. In case of failure to renew the Contract, ownership of the erected building/establishment will redound to the benefit of the BuCor, unless otherwise provided in the Contract. Consequently, the BuCor may perform all acts of ownership over the said property and the contracting party has to vacate the premises within thirty (30) days from the lapse of the Contract.
- 6.3.12. The validity of the Contract shall not exceed twenty-five (25) years and renewable upon mutual agreement of the Parties.
- 6.3.13. The BuCor, Director General or his duly authorized representative has the right to inspect the property covered by the Contract at any hour of the day and night to ensure compliance with the embodied terms and conditions of the Memorandum of Agreement.
- 6.3.14. In case there are changes to be made in the scope of work or the design of the construction, the same shall be submitted first to the BuCor, Director General or his duly authorized representative as the case may be, for his perusal and approval, prior to the continuation of any construction.

## 7. MONITORING PROCEDURES/TOOLS

### 7.1. MONITORING PROCEDURES

#### 7.1.1. REPORTORIAL REQUIREMENTS

##### 7.1.1.1. Entering into a Contract

7.1.1.1.1. The BBC-BODD shall maintain control number of contracts reflecting date, year, and month.

7.1.1.1.2. The BBC-BODD shall maintain records or files of all approved contracts.

##### 7.1.1.2. Monitoring of Construction

7.1.1.2.1. The BBC-TSD shall conduct a timely onsite inspection and submit a report to the BBC to ensure that the submitted proposed plan is followed in accordance with the Memorandum of Agreement.





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### 7.1.1.3. Monitoring of Macro, Micro and JV Business Enterprises

7.1.1.3.1. Weekly Monitoring Report of approved Contracts shall be prepared by the BBC-BODD duty officer, which shall be submitted to the Chief, BBC-BODD. (Form G)

7.1.1.3.2. Monthly Inventory Report (MIR) of approved Contracts shall be prepared and submitted by the BBC-BODD duty officer to the Chief, BBC. (Form H)

7.1.1.3.3. The MIR of all approved Contracts in all Operating Corrections facilities shall be prepared and submitted by the BBC-BODD officer to the Chief, BBC.

7.1.1.3.4. Quarterly Inventory Report of MBE with attached MIR shall be prepared and submitted by the BBC-BODD duty officer to the Chief, BBC. (Form I)

7.1.1.3.5. Annual Inventory Report of all approved contracts shall be prepared and forwarded to the Chief, BBC for review by the Director, BLCMC prior to submission of final report to the Director General. (Form J)

## 8. FINANCIAL CLAUSE

All incidental expenses thereto, unless specifically agreed upon to shoulder by the Concessionaire, shall be charged to the fund of this bureau subject to the usual accounting and auditing procedures.

## 9. SEPARABILITY CLAUSE

In the event that any provision of this Memorandum Circular is declared illegal or rendered invalid by any competent authority, the provisions not affected thereby shall remain valid and effective.







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### 10. REPEALING CLAUSE

All Bureau of Corrections issuances/directives or parts thereof that are inconsistent with the provisions of this Memorandum Circular are hereby deemed repealed and modified accordingly.

### 11. EFFECTIVITY

This Memorandum Circular shall become effective fifteen (15) days from the date of filing at the University of the Philippines Law Center in consonance with Sections 3 and 4, Chapter 2, Book VII of Executive Order No. 292, otherwise known as "The Revised Administrative Code of 1987".





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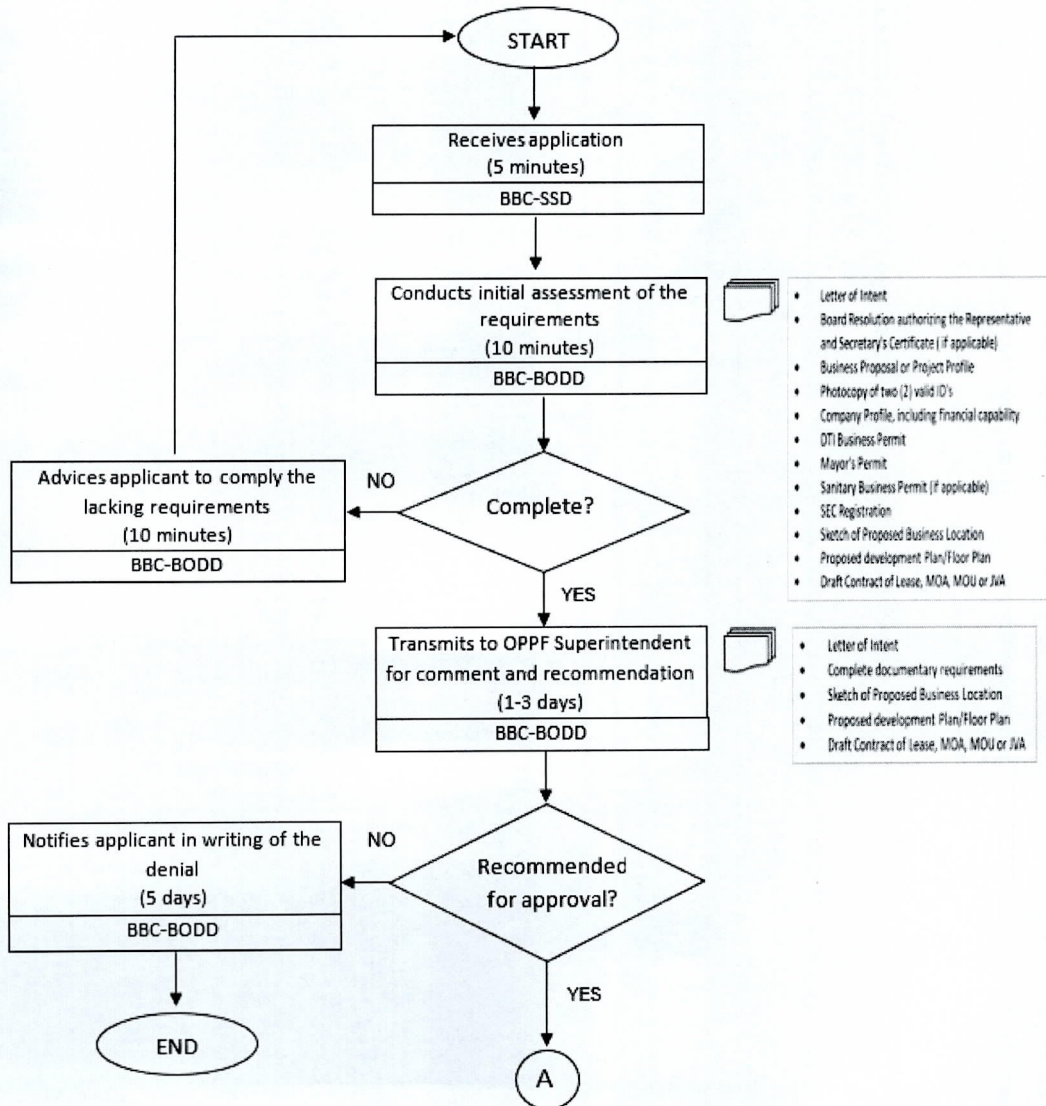
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### 12. ANNEXES

#### ANNEX "A" PROCESS FLOW CHART IN ENTERING INTO A CONTRACT FOR LAND UTILIZATION





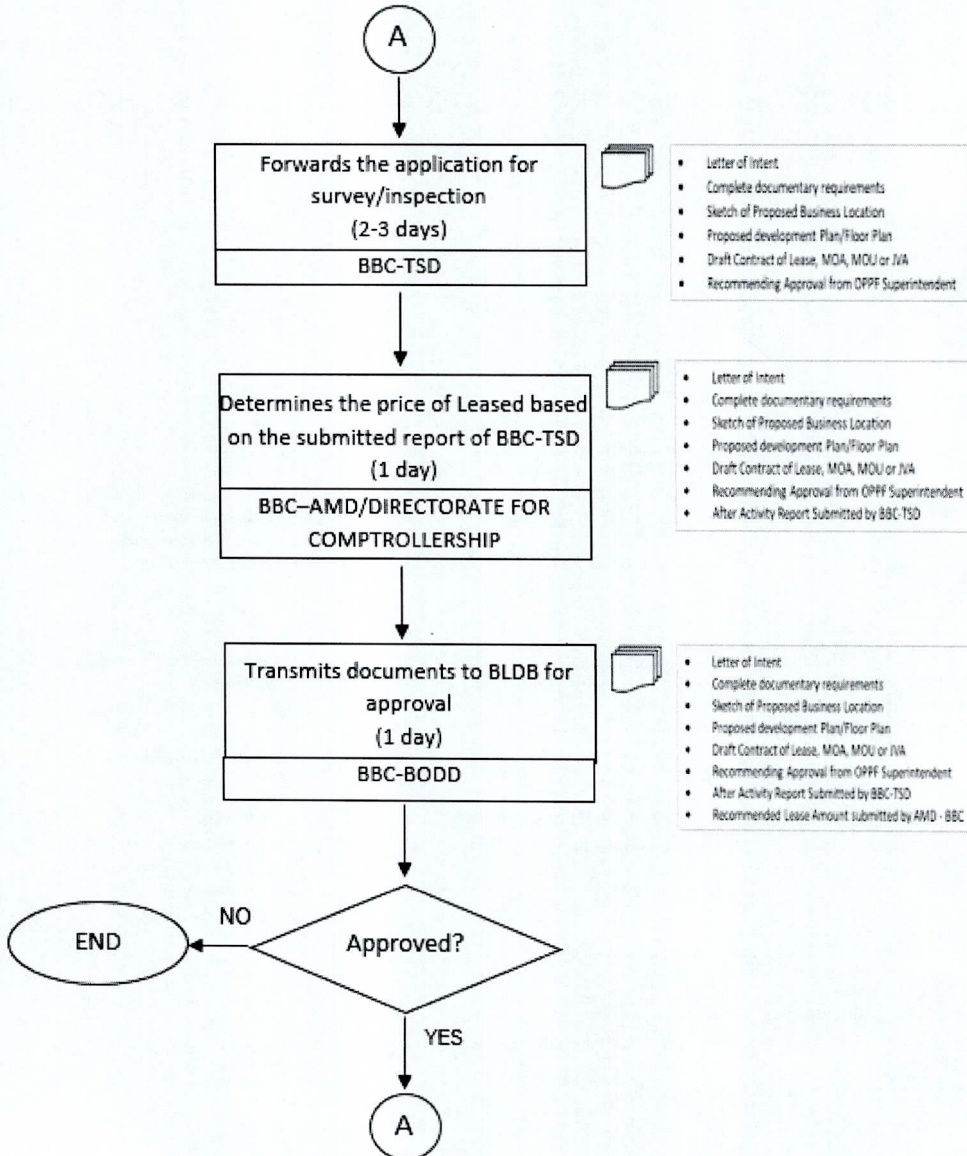
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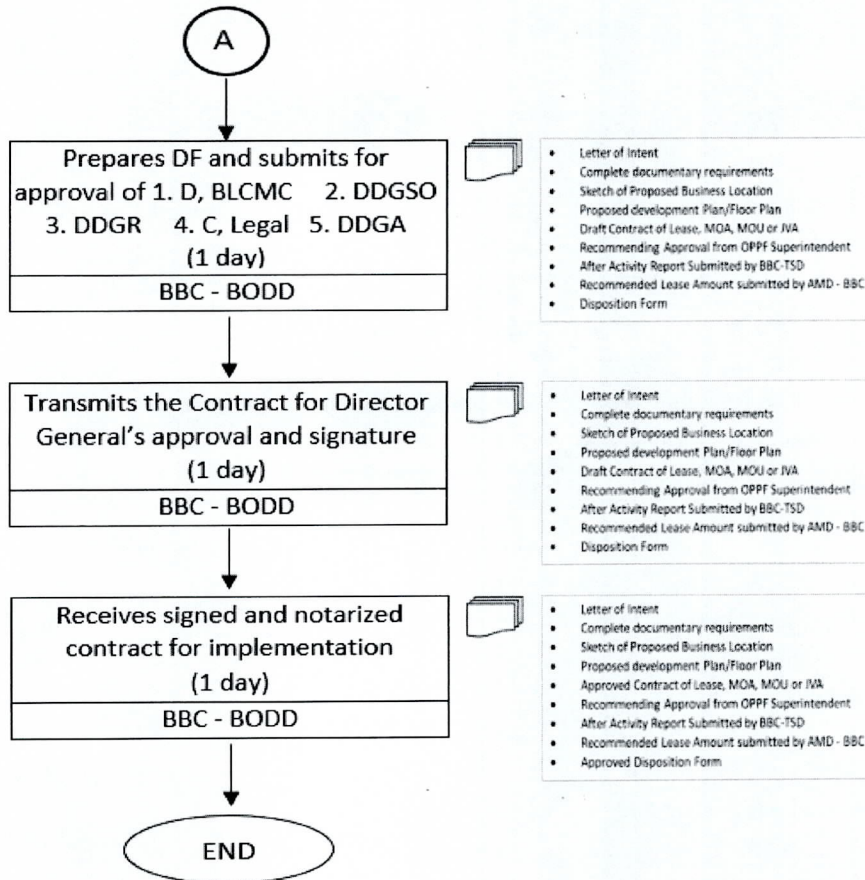
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### ANNEX "B" Sample Certificate to Operate Form

Control No. \_\_\_\_\_  
**CERTIFICATE TO OPERATE**

This certificate to operate was issued based on the approved Memorandum of Agreement dated \_\_\_\_\_ granting the authority to;

Name of Concessionaire:	
Business Name:	
Location	

to conduct business at Bureau of Corrections with the following details:

Type of Business:	
Total Lot Area Covered:	

The operation will take effect from \_\_\_\_\_ and will terminate on \_\_\_\_\_.

Issued this \_\_\_\_\_ day of \_\_\_\_\_.

#### Recommending Approval:

\_\_\_\_\_  
Chief, BBC – Business Operation  
and Development Division

Approved by:

\_\_\_\_\_

Director, BuCo, Business Center

*\*With Dry Seal of BBC\**





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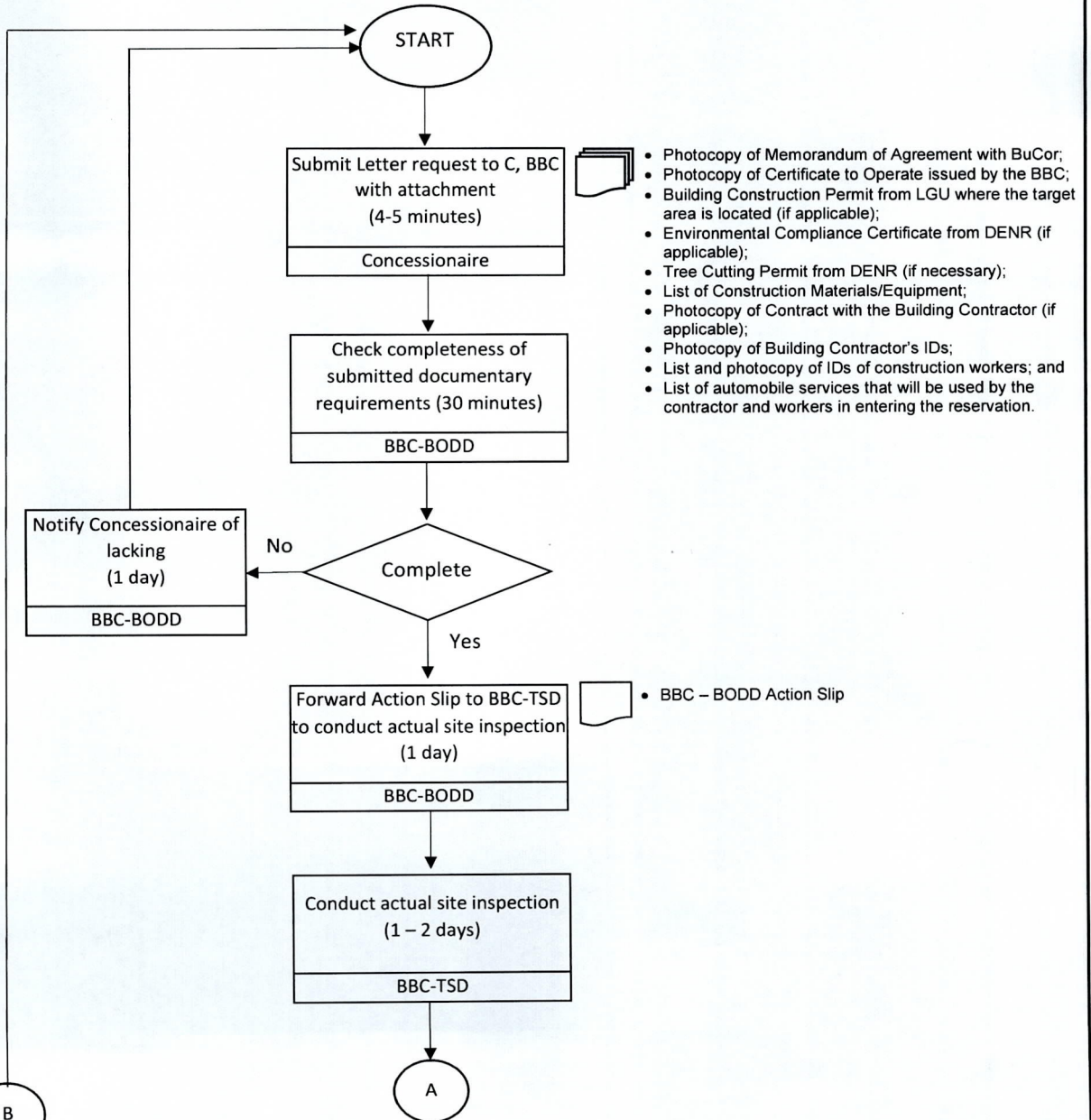
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**BUC-ODG-MC-17**

## GUIDELINES AND PROCEDURES IN ENTERING INTO A CONTRACT FOR LAND UTILIZATION

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### ANNEX "C" Issuance of Construction Permit Flow Chart



B

A





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B

A

Submits After Inspection Report to BBC-BODD (1 day)  
BBC-TSD

• BBC – TSD After Inspection Report

Review and Evaluates the After Activity Report (1 day)  
BBC-BODD

Approved

No

Yes

Notify Concessionaire (1 day)  
BBC-BODD

Issue construction permit to concessionaire (1 day)  
BBC-BODD

• Construction Permit

END





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### ANNEX "D" Sample Construction Permit Form

Control No. \_\_\_\_\_  
**CONSTRUCTION PERMIT**

This is to certify that **NAME OF CONCESSIONAIRE**, owner of **Business Name**, that his/her intent for the construction/repair/renovation of the **Name of Building** and request for entry of construction materials is hereby recommended pursuant to **Memorandum of Agreement dated** \_\_\_\_\_. Said establishment is located at \_\_\_\_\_.

This certification is issued to **Name of Concessionaire** for the entry of attached listed construction materials as recommended by **BBC – Technical Service Division**.

This also allows the entry of the following construction workers of the said concessionaire;

- 1.
- 2.
- 3.

Also, the vehicle with Plate No. \_\_\_\_\_, which will be used by the workers when commuting to work, is authorized to enter the reservation.

All construction materials and construction workers are subject to thorough security inspection and monitoring of BSEC duty personnel.

Any untoward incidents shall be immediately reported to the Chief, BBC-Business Operation and Development Division.

Issued this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Chief, BBC – Business Operation  
and Development Division

Noted by:

\_\_\_\_\_  
Director, BuCor Business Center

*\*With Dry Seal of BBC\**







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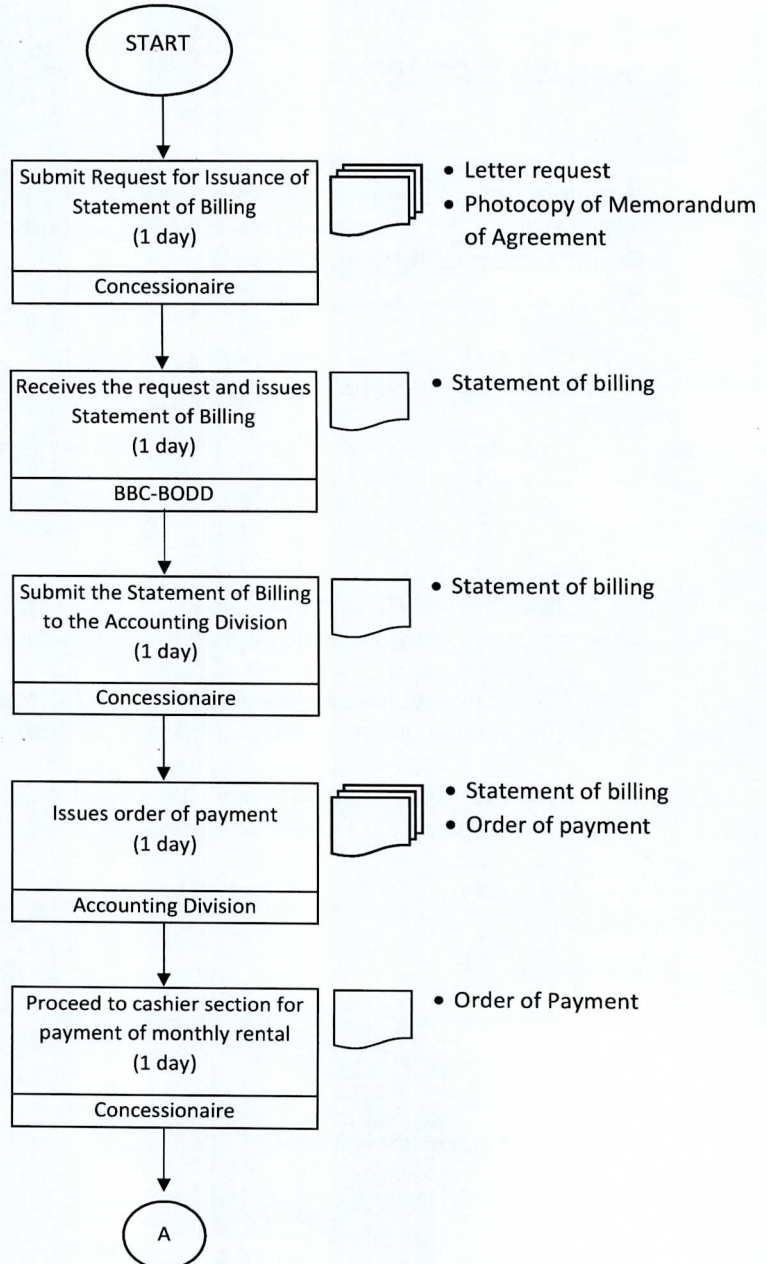
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## GUIDELINES AND PROCEDURES IN ENTERING INTO A CONTRACT FOR LAND UTILIZATION

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### ANNEX "E" Payment of Rental Fees Flow Chart





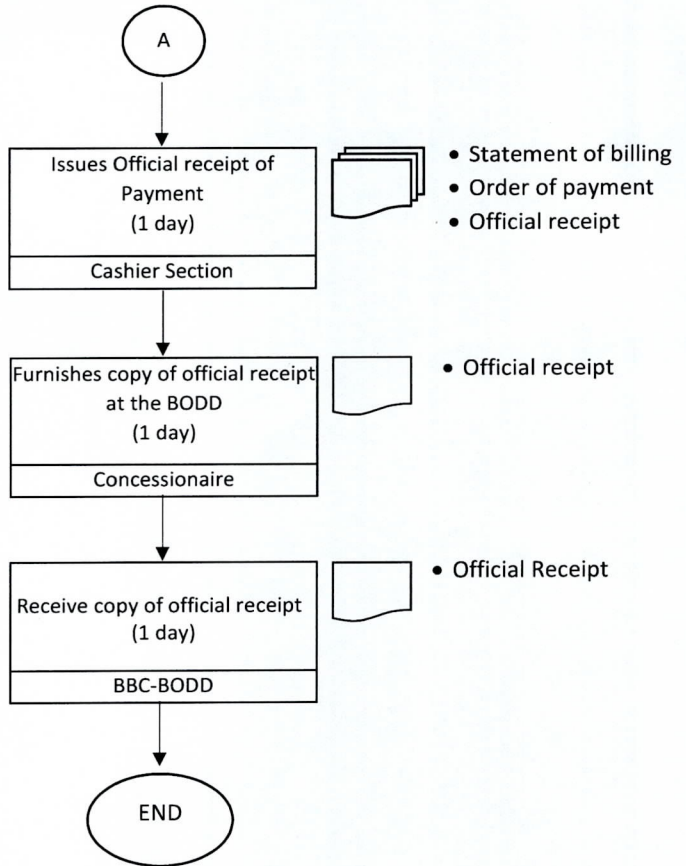
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### ANNEX "F" Sample Statement of Billing


 Republic of the Philippines  
 DEPARTMENT OF JUSTICE  
 BUREAU OF CORRECTIONS  
 VFB, Alabang, Muntinlupa City, Philippines 1776  
 Tel. No. 02-82309445
 

To: Chief, Accounting Division Date: \_\_\_\_\_

Please issue Order of Payment in favor of \_\_\_\_\_  
(Name of Payor)

\_\_\_\_\_ (Address)

in the amount of \_\_\_\_\_ Total: (Php \_\_\_\_\_),

\_\_\_\_\_ (Nature of fee)

**Amount**

P \_\_\_\_\_

P \_\_\_\_\_

Total P \_\_\_\_\_

\_\_\_\_\_  
*Signature over Printed Name Head of  
 BBC/Authorized Personnel*





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### ANNEX "G"

### Weekly Monitoring of Approved Micro Business Enterprises Form

Date: \_\_\_\_\_

### Weekly Monitoring of Approved Micro Business Enterprises

Nr	Kind of contract (MOA, MOU, JVA, ETC.)	Proprietor	Name of the Macro Business Enterprise	Area in sqm	Monthly rental fee	Duration	Location	Remarks

Prepared by:

Noted by:

**BBC-BODD Staff**

**BBC-BODD Chief**





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## GUIDELINES AND PROCEDURES IN ENTERING INTO A CONTRACT FOR LAND UTILIZATION

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### ANNEX "H"

#### Monthly Monitoring of Approved Micro Business Enterprises Form

#### Monthly Monitoring of Approved Macro Business Enterprises

Nr	Kind of contract (MOA, MOU, JVA, ETC.)	Proprietor	Name of the Macro Business Enterprise	Area in sqm	Monthly rental fee	Duration	Location	Remarks

Prepared by:

Noted by:

**BBC-BODD- Staff**

**Chief, BBC-BODD**





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## GUIDELINES AND PROCEDURES IN ENTERING INTO A CONTRACT FOR LAND UTILIZATION

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### ANNEX "I"

#### Quarterly Monitoring of Approved Micro Business Enterprises Form

Date: \_\_\_\_\_

#### Quarterly Monitoring of Approved Macro Business Enterprises

Nr	Kind of contract (MOA, MOU, JVA, ETC.)	Proprietor	Name of the Macro Business Enterprise	Area in sqm	Monthly rental fee	Duration	Location	Remarks

Prepared by:

Noted by:

**BBC-BODD Staff**

**BBC-BODD Chief**





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### ANNEX "J"

### Sample Annual Monitoring of Approved Micro Business Enterprises Form

Date: \_\_\_\_\_

### Annual Monitoring of Approved Micro Business Enterprises

Nr	Kind of contract (MOA, MOU, JVA, ETC.)	Proprietor	Name of the Macro Business Enterprise	Area in sqm	Monthly rental fee	Duration	Location	Remarks

Prepared by:

Noted by:

**BBC-BODD Staff**

**BBC-BODD Chief**





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### ACKNOWLEDGEMENT

The Memorandum Circular of Guidelines and Procedures in Entering into a Contract for Land Utilization would not have been realized without the enthusiasm, patience, and expertise of the highly appreciated members of the **Doctrine and Policy Making Board (DPMB)**:

**GENERAL GREGORIO PIO P CATAPANG JR., AFP (Ret.), CESE, CCLH**

Director General, BuCor

**ASEC AL I PERRERAS, AFP (Ret.)**

DDGA/Chairperson, DPMB

**C/CSUPT CELSO S BRAVO**

OIC-DDGR/Vice-Chairperson, DPMB

#### Members

**CT/CSUPT MA CECILIA V VILLANUEVA**

Acting Director, Directorate for Health and Welfare Services

**C/SSUPT GERARDO F PADILLA, Ph.D, CSMS**

Director, Directorate for Reformation

**CT/SUPT ELSA A ALABADO**

Director, Directorate for Administration

**CT/SUPT CYNTHIA N ANDRADA, Ph.D, RPsy., RGC**

Acting Director, Directorate for Reception and Diagnostic

**CT/SUPT NOEL M MARQUEZ, DVM, DPA**

Acting Director, Directorate for External Relations

**C/CINSP EDUARDO P GOGORZA**

Acting Director, Directorate for Security and Operations

**MARIA CIELO O. MONSALUD**

Director, Directorate for Planning and Management

**ATTY. CEASAR ANTHONY S. SOLIS, CPA, MBA**

Chief, Legal Service

**LIGAYA A. DADOR**

Chief, Human Resource Division

**AL CIR JUAN RAÑOSA, REE, MPA**

Chief, BuCor Business Center







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### SECRETARIAT:

#### **MS. MARITES C. MAGTALAS**

Head Secretariat/Acting Chief, DDD

CO3 Mira Flor L Bayogo  
Deputy Chief

CO1 Cheryl Mae R Verano

CTO1 Renalyn E Capati

CO1 Khmerlou Rumbaoa

CO1 Aileen M Piayas

CO1 Kathleen K Padsingan

CO1 Kirstin B Wallie

CO1 Kaula P Baston

CO1 Jocelyn B Onga





=====

**DOCTRINE AND POLICY MAKING BOARD (DPMB)**

=====

**DPMB RESOLUTION No. 2024-06**

*A Resolution Recommending the Approval of  
Memorandum Circular on “Guidelines and Procedures in  
Entering into a Contract for Land Utilization”*

**WHEREAS**, the Republic Act (RA) No. 10575 or “The Bureau of Corrections Act of 2013”, particularly Section 6 thereof, grants BuCor the absolute authority to design, formulate and implement land use development plans and policies;

**WHEREAS**, Rule VI, Section 6 of the revised IRR of RA 10575 provides for the creation of the BuCor Business Center (BBC) which shall be responsible for managing the assets of the Bureau, and that BuCor lands shall be used as a means to promote sustainability, both income and non-income generating programs, with or without partnership among non-government organizations, civic organizations, or other government entities;

**WHEREAS**, this proposed Memorandum Circular will ensure quality management of evaluation, approval, payment, monitoring, and revocation of all income and non-income-generating projects entered into by the BuCor;

**WHEREAS**, during the 24<sup>th</sup> DPMB Meeting held on 05 August 2024, the Board deliberated and **ADOPTED** the proposed MC; and

**NOW WHEREFORE**, the DPMB hereby resolves as it is hereby being **RESOLVED, RECOMMENDS** the approval of the Memorandum Circular on *“Guidelines and Procedures in Entering into a Contract for Land Utilization”*.



ADOPTED this 5<sup>th</sup> day of August 2024 at the Bureau of Corrections, Muntinlupa City,  
1776 Philippines.


**DOCTRINE AND POLICY MAKING BOARD**

  
**ASEC ALI PERRERAS**  
DDGA/Chairperson, DPMB

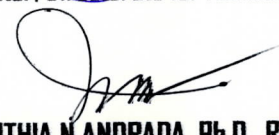
  
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OIC-DDGR/Vice-Chairperson, DPMB

**Members:**

  
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