

USAID UKRAINE LAND TITLING PROJECT

Date: February 5, 2002

To: Mr. Bohdan Chomiak, CTO, USAID/Kiev
Mr. Oleksandr Muliari, Activity Manager, USAID/Kiev

From: Stevan Dobrilovic, Chief of Party
Chemonics International, Inc.

cc: Lou Faoro, Chemonics International, Inc.

Re: Monthly Report for January 2002 and
Report for Quarter No. 4, 2001 (October – December 2001)

I. PROGRESS ON OVERALL OBJECTIVES

The major objectives of the ULT Project under its work plan can be grouped into two categories: operational and substantive. Operational issues are typically resolved early in the life of the Project, leaving substantive issues as the main focus of the Project's monthly reports.

1. Operational Issues

Operational issues deal with the Project's ability to function in Ukraine and achieve its substantive objectives. Issues in this category that are identified in the work plan and remain to be resolved are:

- Signing regional Cooperation Agreements with Oblast State Administrations for agricultural and non-agricultural land titling activities.

Project (Chemonics International) accreditation was finalized on December 26, 2001. The Project is now in the process of opening its official bank account and believes that this action will be completed in February 2002. Due to the holidays and scheduling problems with the State Administrations in eight oblasts, the Project signed only one regional cooperation agreement with the State Administration in Chernigiv oblast in January 2002. The Project has now signed cooperation agreements in nine oblasts. It will continue signing cooperation agreements in February 2002 and has tentatively scheduled signings in at least four oblasts.

2. Substantive Issues

Substantive issues deal with the Project's ability to promote the issuance of State Acts to agricultural and non-agricultural land, and other activities that are related to the issuance of State Acts. Other activities include the dissemination of public information to individuals with an interest in the privatization of land, legal support for the land titling process, and the protection of legal rights of new landowners. The substantive issues related to the Project can generally be divided into four categories:

- Agricultural land titling,
- Non-agricultural land titling,
- Legal and regulatory reform, and
- Public education and outreach.

a) Agricultural Land Titling

As defined in the work plan, the Project team is working on the following issues:

Cooperation Agreements with Oblast State Administrations

The team signed a cooperation agreement with the State Administration in Chernigiv oblast in January. The total number of cooperation agreements signed between the Project and Oblast State Administrations is now nine. The team will continue signing cooperation agreements in February 2002 until it has signed such agreements in all oblasts of Ukraine that wish to cooperate with the Project and its activities. The ceremonies for signing of the cooperation agreements are typically covered by the mass media and used as a forum to discuss the Project's goals and activities, as well as land reform issues in general.

Tenders for “New Work”

The Project announced the tender for land titling work in three oblasts on December 24, 2001. The total number of State Acts covered by the tender is 191,790. The Project received a bid from at least one private survey firm for each tender package. A total of ten firms collected bid packages from the ULT Project and submitted their proposals by the stated deadline. A summary of the work areas covered by the initial tender announced in December is presented in Table 1.

Table 1: Tier 1 Tender Work Areas Summary

Oblast	No. of Raions	No. of Radas	No. of State Acts	No. of Contracts
Sumy	18	135	90,417	8
Ternopil	15	119	57,876	6
Poltava	9	62	43,497	4
Total	42	316	191,790	18

The team conducted a preliminary analysis of the bids on January 15, to ensure that each bid met the Project’s requirements. The main criteria for the preliminary analysis were that each firm is a private entity and that each bid submission package was complete. While all firms were able to show that they were private, most bids were not complete. A number of firms failed to submit references for previous land titling work. One company failed to submit its pricing proposal, while another firm did not submit its pricing proposal in the required format. The Project team contacted the firms whose bids were not complete to ask that missing documents be supplied or incorrect documents be corrected by January 22, 2002.

The team conducted its official bid scoring on January 22, and prepared a written commentary on each bid. Bids were scored on the basis of three elements – pricing, experience, and resources – as defined in the bid preparation documents. The private firm with the highest score for each tender packet has been invited to Kiev to negotiate contractual details. A summary of initial work area distribution is included below in Table 2. Annex 1 to the report gives the complete results of the initial tender.

Table 2: Tier 1 Tender Results (Initial Contract Award Scheme)

Bid Score	Company Name	Tier 1 Tender Bid Packages & Winning Bidders																	
		Ternopil 1	Ternopil 2	Ternopil 3	Ternopil 4	Ternopil 5	Ternopil 6	Sumy 1	Sumy 2	Sumy 3	Sumy 4	Sumy 5	Sumy 6	Sumy 7	Sumy 8	Poltava 1	Poltava 2	Poltava 3	Poltava 4
78	Y. Grinchevsky ¹																		
83	Geodesia																		
86	Galytski Zemli																		
83	Geo																		
88	Cadastre																		
83	Geobusiness																		
84	Geocenter																		
81	Gadiach Land & Cadastre Center																		
80	Geosvit																		
95	Horizont																		

Since the number of State Acts covered by the initial tender is significantly lower than originally projected, the ULT Project intends to announce additional tenders in one or two other oblasts in February for approximately 110,000 State Acts in order to reach its goal of 300,000 State Acts for the Tier 1 tender.

Contracts with Private Land Survey Firms for “Prepared but not Issued” State Acts

The Project continues to negotiate and sign contracts with private surveying firms for the release of “prepared but not issued” State Acts. As of January 31, 2002 twelve firms had signed such agreements, covering approximately 130,000 State Acts throughout nearly 80 raions in seven oblasts. A summary of the signed contracts is presented in Table 3.

¹ Private firm Y. Grinchevsky bid on one of the Ternopil tender packages.

Table 3: Summary of Contracts for State Acts Previously Prepared But Not Issued

Oblast	No. of firms contracted	No. of Raions covered	No. of State Acts Prepared	No. of land parcels	Total financing from ULT	Average contribution from ULT per Act	Average reduction in price paid per Act (%)	Average final cost per Act	Average final cost per land parcel
Kharkiv	1	8	6,340	7,533	25,360.00	4.00	61.58	4.00	3.37
Khmelnitsky	1	12	10,557	10,577	41,548.73	3.97	57.95	5.10	5.09
Lugansk	1	10	15,157	22,511	57,508.68	3.80	41.72	9.26	6.23
Sumy	3	17	51,442	113,734	196,218.19	3.81	36.94	6.67	3.02
Ternopil	3	9	11,941	44,333	43,814.76	3.56	37.50	7.23	1.95
Vinnitsa	1	9	10,203	10,203	40,155.70	3.50	34.63	7.43	7.43
Poltava	2	10	16,916	18,396	64,168.92	3.79	42.45	5.16	4.74
Total	12	75	122,556	227,287	\$468,774.98	\$3.78	44.68	\$6.41	\$4.55

Out of the contracts listed above, 71,533 State Acts have been issued in January 2002. Including the State Acts issued in December, the Project has financed the issuance of 122,556 State Acts to owners of land share certificates. In each local rada the issuance of the State Acts is evidenced by an official act prepared and signed by the Head of the local rada, which states the number of State Acts issued in Project work areas. Private firms are not paid until this form is submitted for verification by the Project's regional teams.

Additionally, one contract in Lugansk was not signed due to issues related to the method of payment for services, however, the Project hopes that this contract for the issuance of approximately 15,000 State Acts can be concluded in the future. Contracts in Rivne, Volyn, and Donetsk are all pending the signing of the cooperation agreement between the ULT Project and the respective Oblast State Administrations. These contracts represent approximately 33,000 State Acts. It is anticipated that a new round of contract signing will commence in February to cover at least 100,000 more previously prepared but not issued State Acts.

Regional Teams – Verification Activities

Representatives from the ULT Project regional and central offices have continued to perform verification work on those contracts signed for State Acts that are prepared but not issued. In addition, the regional teams have been verifying works on State Acts claimed by private firms to be previously prepared. Such verification is now standard before any contract is signed for the release of previously prepared State Acts. The ULT verification teams have now conducted systematic checks on work from 20 companies in 116 raions of 15 oblasts.

Collaboration with ULRMC on Purchase and Use of Satellite Imagery

As first mentioned in the November monthly report there have been problems in the cooperative activity between the ULT and ULRMC Projects. The main problem that is now delaying the purchase of satellite imagery is the inability of ULRMC to obtain a waiver of source of origin for the imagery purchase from USAID. Unfortunately, this delay is having a detrimental effect on the ULT Project's activities. The schedule for processing of the imagery and development of base topographic maps in priority oblasts has been disrupted and the cooperation between the two projects has grinded to a halt. Unless ULRMC can place the purchase order for the satellite imagery immediately, it is highly unlikely that the imagery can be useful to the ULT Project in its first phase of work. Already, it is unlikely that processing of the imagery and development of topographic base maps can be completed in time to use the data during the Project's first phase.

Cooperation with World Bank on Agricultural Land Titling

The Project team met with representatives from the World Bank on January 17, 2002 to discuss the Bank's "Rural Land Titling Manual." The ULT Project's two expatriate advisors and senior Ukrainian attorney participated in the meeting and offered constructive comments on redrafting of the Manual to the Bank team. During the discussion, Bank representatives informed ULT team members that the Manual is actually a bidding document to be used for World Bank tenders for land titling work. The main comments of the ULT team concerned the following issues:

- The Manual's emphasis on environmental issues and whether the Bank is willing to establish substantial environmental requirements as part of the land titling work.
- The apparent requirement in the Manual that land survey firms conduct a full topographic survey of the entire village in which State Acts to agricultural land are being issued.
- The apparent requirement in the Manual that new soil surveys and work on re-calculation of the monetary value of land be completed prior to issuance of State Acts.
- The apparent requirement in the Manual that a land survey firm place boundary markers at the corners of each parcel.

- The apparent support in the Manual for the establishment of a monopoly for the printing of State Acts in the oblast State Cadastre Centers.
- The requirement in the Manual that a cadastral number be assigned for each parcel created during land allocation (the ULT Project agrees with this idea and would like the World Bank to support the team's cadastral numbering concept, developed in cooperation with the NSDI Project)

The project team prepared a written version of these comments, and others, and gave them to the World Bank's technical representative who will be rewriting the Manual.

Preparation of Land Titling Instructions

In December, the ULT team formally submitted the model instructions (as "Methodological Recommendations") to Derzhkomzem, the Ministry of Agrarian Policy, the Ukrainian Academy of Agrarian Sciences for comment and adoption. No formal response has come from any of the three institutions as yet, however, Derzhkomzem officials claim that its legal department used the ULT team's draft as a basis for the preparation of methodological recommendations on the same subject. The methodological recommendations prepared by Derzhkomzem have not yet been officially submitted to any government body, in part because Derzhkomzem is now preparing a Law on Withdrawal of Land Shares in Kind at the direction of the Cabinet of Ministers. More details on this issue are in the Legal and Regulatory Section.

In January, the team began working with the Sumy oblast authorities on a set of technical requirements for land titling activities in that oblast. The main purpose of these requirements is to permit more than one State Act to be issued to an owner of a land share certificate. The document, if enacted in an appropriate form, can be used as a model to promote similar changes in land titling procedures in other oblasts of Ukraine. See Section III for more detail on this new development.

Other Legislation

The Derzhkomzem regulation "On Registration of Land Ownership and Land Use," first addressed in the September monthly report remains the most serious legal challenge to the Project's plan for implementing land titling work. The ULT team has been successful in convincing the State Secretary of the Ministry of Justice to issue an order to revoke the regulation. Unfortunately, the order of the State Secretary has not been carried out yet. See the Legal and Regulatory Section of this report for more details.

Cooperation with Swedish NSDI Project to Develop New Parcel Identification Numbering Scheme

The Project began its cooperation with the National Spatial Data Infrastructure (NSDI) Project in November. The teams continued to meet in January and to prepare the concept for the parcel identification numbering system. A working draft is now completed and has been translated into Ukrainian. A pilot zone in Ternopil oblast has been mapped out with a parcel identification (cadastral) number assigned to each individual land parcel. The full series of cadastral index maps, starting at the national level and proceeding to the land parcel level has been created and is a part of the concept document. The next step is to circulate the concept document to various government and donor organizations and make a presentation of the concept to Derzhkomzem in February 2002. The two teams hope that Derzhkomzem officials will support the implementation of the concept on a national level.

Other issues

The team assisted AED, the USAID training grantee, to prepare a training program for 25 Ukrainians to visit Moldova, Hungary, and Poland. The individuals making the training trip are traveling to these countries to see firsthand how land markets have developed in the three countries, to learn about privatization of land in those countries, and to see how financial markets have linked to the land market to promote its development over the last ten years. Participants in the training program include government authorities, private sector individuals, and members of the Ukrainian NGO community.

In accordance with the ULT Project work plan the team has been updating the baseline information on issued State Acts that it originally collected in July 2001. Regional contractors have begun to report on the current status of land titling throughout Ukraine. By comparing the updated figures with those collected earlier, the Project will gain a greater insight into the progress achieved in agricultural land titling over the last six months. Collection of the information by the Project's contractors is not yet complete, but should be finished by February 28, 2002. The Project is also in the process of obtaining this information from Derzhkomzem. When all the information is collected, the Project will be able to evaluate to what level the government is overstating the real progress of land titling. The Project will present all results in the February monthly report.

The project has also collected some preliminary information on the gender of those individuals receiving State Acts in radas where the Project has financed the issuance of State Acts. These results are presented in Table 4. Although it is in no way an extensive analysis of gender issues, the data clearly indicates that there is no discrimination in land allocation on the basis of gender.

Table 4: Allocation of Land According to Gender

Oblast	State Acts issued with ULT Project Support	Breakdown of Gender Receiving State Acts	
		Female	Male
Kharkiv	6,340	47%	53%
Khmelnitsky	10,557	57%	43%
Lugansk	15,157	51%	49%
Sumy	51,442	57%	43%
Ternopil	11,941	55%	45%
Vinnitsa	10,203	58%	42%
Poltava	16,916	56%	44%
Total	122,556	54%	46%

b) Non-agricultural Land Titling

As defined in the work plan, the non-agricultural land titling component is working on the following issues:

Issuance of State Acts

The Project expected that 2,000 State Acts could be issued by December 31, 2001. As of December 31, 2001 (the last full month of statistics available at the time of this report) 1,356 State Acts were issued as a direct result of the Project's activities, with 297 State Acts issued in December (73 percent of the monthly target). Of these State Acts, 107 were issued on land parcels purchased before August 1, 2001 and 190 on land parcels purchased after August 1, 2001. The total value of land parcels to which the State Acts were issued in December is UAH 9,906,000 million.

In December eight regional coordinators reached their monthly targets, but nine regional coordinators failed to reach even fifty percent of their planned monthly target for issued State Acts. Table 5 shown below gives complete data on the number of sales, number of State Acts issued, and revenue generated from land sales by the Project team since it began working in this area in July. Annex 2 to the report shows information on the results of land privatization activity and issuance of State Acts by oblast for the last month.

Table 5: Non-agricultural Land Privatization Statistics for December 2001

Number of land privatization sales		Revenue generated from issuance of State Acts (in UAH)	Total Number of State Acts issued with Project assistance	Number of State Acts yet to be issued on completed sales
Completed before August 1, 2001	Completed from August 1, 2001 to December 31, 2001			
3,555	849	37,441,477	1,356	1,925

The analysis of the sales of land parcels shows that State Acts have not been issued to a large number of previously privatized land parcels (over 1,900 parcels). The Project management continues to focus the regional coordinators on the issuance of State Acts to such land parcels.

Managing the network of regional coordinators

As part of its organizational structure, the Project conducts monthly meetings in Kiev for regional coordinators. This month's meeting was held on January 25, 2002 at which the Project management covered the following issues:

- Progress toward monthly and quarterly goals for issuance of State Acts.
- Organization of local seminars, press clubs, and other events to promote the Project's activity.
- Discussion regarding the procedure on privatization of non-agricultural land under the new Land Code.
- Other problems and challenges encountered by the regional coordinators (Derzhkomzem Order and Regulation No. 144 in particular).

The team continues to prepare the manual for the regional coordinators that will explain the step-by-step process for privatizing non-agricultural land and issuing State Acts. Adoption of the new Land Code has made it imperative that a manual be prepared in the near future.

The team also prepared recommendations on improving the results of regional coordinators that have continually failed to meet their established monthly targets. One of the key facts that was realized during the research and preparation of the recommendations is that payment for land in nearly 40 percent of all sales is conducted in

installments, often times over a period of one year or longer. Because no State Act is issued until the purchaser pays in full for the land parcel, the backlog of land sales without an issued State Act is substantial. Resolving this problem would be a major step toward reaching the Project's target of 405 State Acts issued each month. There seem to be two manners by which to resolve the problem: (1) change the legislation to specifically provide that a State Act is issued once the sale and purchase contract is concluded, and (2) entering a clause in the sale and purchase contract that says the seller will issue the State Act to the purchaser after the first installment payment is made. The first option is stronger and more desirable, but the Project team understands the complications and realities of enacting new legislation and intends to focus initially on the second option to resolve the problem promptly. The challenge will be to gain acceptance for such a provision in the sale and purchase contract by local radas who sell non-agricultural land.

Promotional campaign and training seminars

A modified brochure on non-agricultural land privatization and issuance of State Acts was prepared and distributed to the regional coordinators at the January monthly meeting. This brochure explains the importance of privatizing non-agricultural land even if the enterprise has its land in permanent use until January 1, 2005. A copy of the brochure is attached to the monthly report as Annex 3.

Regional coordinators conducted a number of raion level seminars in oblasts to inform local officials and entrepreneurs about provisions of the new Land Code on non-agricultural land privatization, the benefits of privatizing non-agricultural land, and the services of regional coordinators under the Project's technical assistance. Project team members from the Kiev office participated in two of these seminars, one in Odessa and the other in Zaporizia.

Simplifying procedures and accelerating land privatization

The Project's model regulation on the procedure for issuance of State Acts was developed in December and given to Derzhkomzem officials. Derzhkomzem's general reaction to the regulation appeared positive, but no further comment has been received from Derzhkomzem. The team will meet with officials from Derzhkomzem to discuss the draft in early February and hopes to forge an agreement under which the Project and Derzhkomzem will jointly promote the enactment of the regulation by the Cabinet of Ministers.

Site Visits to Problem Offices

The project team conducted three site visits in January to resolve problems, participate in seminars, and promote the privatization of non-agricultural land. The team visited Zaporizia and Lugansk to resolve problems with the regional coordinators (in Zaporizia, due to untimely passing of the regional coordinator and in Lugansk, due to poor performance of the regional coordinator) and find appropriate replacements. The Project team also visited the Odessa office to discover the reasons for the regional coordinator's continued failure to meet monthly targets. Meetings in Odessa uncovered that local radas in the oblast set sales of large parcels as the priority (mainly due to the high income earned as a result of those sales), which limits the number of sales and State Acts that have been completed. Furthermore, some 50 percent of the sales completed in Odessa oblast are on an installment basis, meaning that in many cases no State Act can be issued immediately after the sale. The regional coordinator cited these two factors as a major reason for his sub-par performance in meeting Project objectives. The Project team also suspects that the regional coordinator is focusing his business on other revenue generating activities, in large part to maintain his regional monopoly over certain real estate services.

c) Legal and Regulatory Work

As defined in the work plan, the legal and regulatory team is working on the following issues:

Issues Related to the New Land Code

On October 26, 2001 the Verkhovna Rada passed the new Land Code. The team continues to present information in public forums on the provisions of the new Code and how it affects the implementation of ongoing land reform and land market development. Team attorneys have participated in radio talk shows, given interviews for newspaper articles, and made presentations at numerous seminars to explain the new Code to the general public and other interested individuals and institutions. The team's senior attorneys are also assisting Derzhkomzem with the drafting of an annotated version of the Land Code.

Simplification of Land Titling Procedures

In December, the Project formally submitted the Methodological Recommendations (instructions) on land titling and issuance of State Acts to Derzhkomzem, the Ministry of Agrarian Policy, and to the Ukrainian Academy of Agrarian Sciences. No official response has come from any of these institutions. However, Derzhkomzem officials reportedly used the ULT Project's Methodological Recommendations as a basis for their own set of instructions on land titling. The Derzhkomzem instructions have not been publicly released as this time. Legal team members also met with the

Cabinet of Minister's Coordinating Council for Agrarian Policy to explain the Methodological Recommendations, the Project's ideas regarding the issuance of State Acts, and to gain support for their enactment in the Cabinet of Ministers.

Recently, the Cabinet of Ministers asked that Derzhkomzem prepare a Law on Withdrawal of Land Shares in Kind, which would supersede any Methodological Recommendations (instructions) enacted by Derzhkomzem. The ULT Project prepared its own law on this topic and submitted it to Derzhkomzem. Reportedly, Derzhkomzem submitted the ULT Project's version of the law to the Cabinet of Ministers for review, after having two of its own drafts rejected outright. Senior attorneys from the legal team have met with representatives from the Cabinet of Minister's Coordinating Council on Agrarian Policy to explain and offer the ULT Project draft law for informal consideration as a model for the new law. It is not clear at this time what version of the draft will be accepted by the Cabinet of Ministers and offered up to the Verkhovna Rada for consideration.

In December, the legal team also prepared a model regulation that simplifies the process of non-agricultural land privatization and issuance of State Acts. This model regulation is based on recommendations that the Project team gave to Derzhkomzem in August. Senior attorneys from the legal team conducted preliminary discussions with representatives from Derzhkomzem on this regulation and report that they received a generally positive response to the draft's contents. In February, the Project team will attempt to craft an agreement with Derzhkomzem on a joint strategy to promote the enactment of the regulation by the Cabinet of Ministers.

Law on State Expertise (related to Land Surveying)

On the basis of the new Land Code, the legal team has prepared a draft of the Law on State Expertise. As part of this law, the legal team has included the principles stated in its position paper on state expertise prepared in December. The critical issue that needs to be upheld by the new law is that state expertise may only be conducted on a spot check basis, meaning that oblast departments of land resources cannot demand that all land survey work (including the work conducted with Project funds) be subjected to expertise.

Other Legislation

Team attorneys managed to convince the State Secretary of the Ministry of Justice to order the revocation of the Derzhkomzem regulation on Registration of Land Ownership and Land Use and the accompanying order No. 144. Unfortunately, the department of the MOJ that registered the regulation in September 2001 has not yet implemented the order of the State Secretary. ULT Project lawyers continue to follow-up on this matter and push for the revocation of the offensive regulation. Please see Section III for more information on this issue.

The team also presented its comments to the draft Cabinet of Ministers Resolution on a new form of State Act. The team has learned that Derzhkomzem formally submitted a draft on this issue to various ministries, without including any comments from the ULT Project team. The team has now submitted its comments to the Ministry of Agrarian Policy, the Coordinating Council on Agrarian Policy, and the Ministry of Justice in an effort to influence the official comments that those institutions will submit in response to the Derzhkomzem draft.

Finally, the team prepared its comments to Derzhkomzem's draft Law on Protection of Land and Soil Fertility. The draft contained many provisions that the team found to violate the principles of private land ownership and prepared a negative commentary to the draft. Derzhkomzem is redrafting this law and has asked for some assistance from the Project's legal team in doing so. At this time, the Project does not believe that this law is a high priority at Derzhkomzem, but the potential negative impact if the law were passed in its existing form would be great. Therefore, the legal team will continue to monitor the drafting of this potentially dangerous law.

Establishment of a USAID – GOU working group to address land titling issues

A date for the first working group meeting has been set as February 12, 2002. The ULT Project team prepared a draft for the invitations that should be sent out by USAID Mission Director Christopher Crowley. The working group should consider issues regarding the simplification of land titling procedures and the lowering of costs associated with land titling in Ukraine. **It is vital that the working group begin regular meetings to address these issues. The numerous delays due to the holidays have stalled the ULT Project's attempts to enact legal reform related to simplification of land titling procedures. The process needs support from a higher-level group (such as the working group) to require Derzhkomzem officials to cooperate with the Project in enacting effective norms in this regard.**

d) Public Education and Outreach

As defined in the work plan, the public education and outreach component is working on the following issues:

ULTI Ukraine Land Titling Initiative

36 Ivana Franko str. No. 3, Kiev Ukraine 01030

tel/fax: 380-44-238-6086

Ceremonies for Signing Cooperation Agreements with Oblast State Administrations

The Public Education team organized and was present at the ceremony for the signing of a cooperation agreement in Cherniviv on January 21, 2002. The ceremony was followed by a press conference, organized jointly by the Public Education team and the Oblast State Administration. The Project had hoped to sign cooperation agreements with four oblasts in January, but the numerous holidays and scheduling conflicts caused signings to be postponed in most oblasts. The team has tentatively scheduled signing ceremonies in Lviv, Lugansk, and Donetsk in February. It is also possible that the team will visit Kherson, Zaporizhia, Odessa, and Rivne during February to sign cooperation agreements with those Oblast State Administrations.

Project Web Site

Work on creation of the Project web site continued. The team met with web site design firms to discuss bids submitted in response to the Project's tender. Content for the web site is finished and will be used to establish the site once Project management completes its negotiations with the firm selected to design the web site.

Written Materials for Distribution

The team finalized the new brochure for the non-agricultural land sales team. The new brochure focuses on provisions of the new Land Code and how they affect the sale and privatization of non-agricultural land. This brochure is focused on enterprises that have land in "permanent use," and is designed to explain the benefits of converting that right of permanent use into private land ownership evidenced by a State Act.

Cooperation with Other Projects

The Public Education team continues to work with the UMREP team on a number of media and public education issues. These include: design of the new NALT brochure, preparation of the March issue of *New Courier* magazine that will focus on Land Reform issues and the ULT Project's activities, and the organization of radio programs covering the Project's activities.

Cooperation with the Association of Farmers and Private Landowners

The Project team continues to work actively with the Association of Farmers and Private Landowners on numerous fronts. First, the Project team continues to support the publication and distribution of the Association's monthly newspaper the "Ukrainian Farmer's Bulletin." Each month, the Project prepares articles related to land titling issues for publication in the Bulletin. Second, the Project team continues to assist in training of Association members on many issues related to land ownership and legal rights of landowners by making presentations at the Association's seminars. In January, team representatives made a presentation on the Project and its activities to the oblast directors of the Association. Third, the Project team uses the Association to deliver its leaflets and posters to villages where the Project is supporting the issuance of State Acts. Representatives of the Association have delivered Project leaflets in seven oblasts as of January 31, 2002.

Tentative schedule for ULT Project public education and outreach activities in December 2001.

- The ceremony for signing the Cooperation Agreement between the Ukraine Land Titling Initiative and Oblast Administration and the press-conference in Rivne – **February 5, 2002**
- The ceremony for signing the Cooperation Agreement between the Ukraine Land Titling Initiative and Oblast Administration and the press-conference in Lviv – **February 5, 2002**
- The ceremony for signing the Cooperation Agreement between the Ukraine Land Titling Initiative and Oblast Administration and the press-conference in Kherson – **February 13, 2002**
- The ceremony for signing the Cooperation Agreement between the Ukraine Land Titling Initiative and Oblast Administration and the press-conference in Zaporizhia – **February 13, 2002**

II. PROGRESS ON MEETING THE MONTH'S GOALS

a) Agricultural Land Titling

1. Evaluate bid submissions for Tier 1 oblasts and negotiate contracts with selected private firms. – *Bid evaluations were finished on January 22, 2002. Private firms have been invited to negotiate and sign contracts for the "new work" tenders beginning on February 1, 2002.*
2. Finalize contracts with firms that have State Acts that are "prepared but not issued." – *The team continues to identify private firms that have such State Acts. To date contracts have been signed by 12 firms covering nearly 130,000 State Acts. The Project team expects to sign more contracts for such State Acts in February.*

3. Continue verification and payment activities for contracts covering State Acts that are “prepared but not issued.” – *The ALT team has verified work for preprepared State Acts, both already under contract with the Project and those proposed to be under contracts with the Project, in some 15 oblasts. The verification teams have approved the payment for some 122,000 State Acts to date.*
4. Work with the NSDI project and appropriate Ukrainian agencies in developing a new system for cadastral numbering in Ukraine. – *A concept document is finished and translated into Ukrainian. The team intends to present the concept to Derzhkomzem and other government institutions in February. The team also hopes to gain support for this concept from the World Bank’s technical representatives, who are preparing the World Bank’s rural land titling project.*
5. Cooperate with the legal and regulatory team in monitoring and commenting on new legislation affecting agricultural land titling activities. – *Not much work in this area occurred in January due to the holidays.*
6. Continue cooperation with ULRMC in the procurement, processing, and disbursement of satellite imagery for use by private firms carrying out agricultural land titling. – *No work occurred on this issue in January mainly because ULRMC has not received the waiver of source of origin for the purchase of satellite imagery from USAID.*
7. Continue cooperation with the World Bank on coordination of land titling activities. – *The team met with World Bank representatives to discuss the Rural Land Titling Manual (that is really a bidding document for contractors) prepared in November by its consultant Mr. Zimmerman. The Project team offered both oral comments during the meeting and written comments shortly thereafter.*

b) Non-agricultural Land Titling

1. Prepare a strategy for increasing sales and issuance of State Acts in oblast centers and a strategy for increasing sales by regional coordinators that have failed to meet their targets. -- *The NALT team prepared a strategy recommending that sales be increased by introducing competition among regional coordinators, creating a model sale and purchase contract that allows the issuance of the State Act after payment of the first installment on a land sale, and adoption of a simplified approach to finalizing the sales of small parcels of land (those that do not raise much interest generally among local radas because of the seemingly insignificant revenue generated). The strategy should be formalized by the March meeting of the regional coordinators.*
2. Work with the legal and regulatory team to continue development of a step-by-step manual on non-agricultural land privatization and issuance of State Acts. – *Work on the Manual continues. A draft should be completed in February 2002.*
3. In the second half of January, continue site visits to regional coordinators that failed to meet monthly targets for four months. – *The Project team made three site visits: to Odessa, Lugansk, and Zaporizia.*

c) Legal and Regulatory Work

1. Work with Derzhkomzem officials to negotiate and develop a final version of the Methodological Recommendations on the procedure for issuing State Acts for the right to ownership of land. – *This activity has been superseded by work on the Law on Allocation of Land in Kind. The legal team drafted a version of this law, has given it to Derzhkomzem, and is working with the Cabinet of Ministers and government ministries to promote the enactment of important provisions as part of the final law.*
2. Begin work on the draft law “On Land Surveying Expertise.” (This is a law called for under the new Land Code). – *The team has a draft that is being translated into English. The entire Project team will discuss the draft internally in February before a final version is publicly released to Derzhkomzem and other government institutions.*
3. To prepare the step-by-step manual on privatization of non-agricultural land parcels and issuance of State Acts. – *The Manual is being prepared and a draft should be done in February.*
4. To work with Derzhkomzem officials to promote the model regulation on privatization of non-agricultural land and issuance of State Acts taking into account the new Land Code. – *The legal team presented the modal regulation to Derzhkomzem officials and will meet with Derzhkomzem officials to discuss further plans for its enactment in February.*
5. Continue working to have the regulation “On Registration of Land Ownership and Land Use” revoked by the Ministry of Justice. – *The team convinced the State Secretary of the Ministry of Justice to issue an order to revoke the regulation and the accompanying order No. 144. The State Secretary’s order has not yet been implemented. The legal team continues to follow-up on this issue regularly.*

d) Public Education and Outreach

1. Organize signing ceremonies for cooperation agreements between the Project and Oblast State Administrations. – *One ceremony in Chernigiv was held in January.*
2. Finalize the design and content of the Project web site. – *The team met with web site designers to evaluate tender bids. Content for the web site is ready for placement on the web site once it is designed.*

3. Cooperate with the Association of Farmers and Private Landowners to distribute Project leaflets and posters in the villages where “preprepared” State Acts will be issued. – *The Association has begun the distribution of posters and leaflets in radas in seven oblasts as of January 31, 2002.*

III. SIGNIFICANT ACCOMPLISHMENTS, PROBLEMS, AND OTHER ISSUES

Significant accomplishments

- With Project support, another 71,000 State Acts to agricultural land were issued in January. As of January 31, 2002, the total State Acts issued with Project assistance is approximately 122,000.
- Three State Acts to non-agricultural land were issued in Crimea (Sevastopol). These were the first State Acts issued in Crimea.
- The legal team was successful in convincing the State Secretary of the Ministry of Justice to issue an order revoking Derzhkomzem Regulation on State Registration and its accompanying order No. 144. The team is following up with the MOJ to ensure that the order is carried out and the Regulation and accompanying order No.144 are in fact revoked.

Problems

Signing of Cooperation Agreements

The scheduled signings of a cooperation agreement between the Project and a number of Oblast State Administrations were postponed in January. Ceremonies for the signing of agreements did not occur as originally planned in Cherkassy, Lugansk, Zaporizia, and Donetsk mainly due to scheduling conflicts between the Project team and the Oblast State Administration. Disagreements between the Project and oblast department of land resources in Khmelnytsky on operation of the Project continue to delay the signing of a cooperation agreement in that oblast. The signing of a cooperation agreement with the Volyn Oblast State Administration was not rescheduled after the oblast’s failure to sufficiently support the Project’s activities in December.

The Project has rescheduled signing ceremonies in Rivne, and expects to sign cooperation agreements in Lugansk, Lviv, Donetsk, Zaporizia, and Kherson in February.

Other Issues

In January, the Sumy Oblast State Administration proposed to adopt a new set of technical requirements on land titling that would fundamentally change the manner in which such work is carried out in Ukraine. The proposed change is intended to allow more than one State Act to be issued to an owner of a land share certificate and to assign a cadastral number to each parcel of land. Such changes are among the principle goals of the ULT Project, and therefore, this initiative has the full support of the Project. Nevertheless, the technical requirements that the Sumy authorities presented to the Project’s legal team left much to be desired, adding to the bureaucracy rather than reducing it.

The legal team has reviewed the first draft of the technical requirements and met with the Sumy authorities to offer comments and recommendation on revisions to the document. As a result of the first meeting with the Sumy authorities in late January, Sumy officials prepared a second draft of the document and gave it to the Project’s legal team for review. Initial reaction of the Project’s Ukrainian lawyers to the second draft is that further redrafting is necessary and another meeting likely. The team anticipates finalizing its comments to the second draft by February 8, 2002 and scheduling another meeting with the Sumy authorities to discuss the suggested revisions.

The team sees these technical requirements as an important step in fundamentally changing some of the land titling requirements that now exist in Ukraine. If enacted in a suitable form, the technical requirements from Sumy could be promoted as a model for other oblasts under which their authorities could affect material changes in land titling procedures.

IV. NEXT MONTH’S GOALS

a) Agricultural Land Titling

1. Analyze and present results from the first update of baseline information on land titling in Ukraine.
2. Finalize negotiations and sign contracts with private survey firms that were successful in the Tier 1 tender. Also, announce tenders in at least two more oblasts to bring to the total number of State Acts for Tier 1 tenders to 300, 000.
3. Continue to identify private survey firms that have preprepared State Acts that are yet to be issued and conclude contracts with these firms.
4. Continue verification and payment activities for contracts covering pre-prepared State Acts.

5. Present the concept for a cadastral numbering system to the appropriate Ukrainian authorities and work with appropriate Ukrainian agencies and other donor organizations to promote and implement this concept.
6. Continue cooperation with ULRMC in procuring, processing, and disbursing satellite imagery for use by subcontractors carrying out agricultural land titling.
7. Continue cooperation with World Bank on coordination of activities of each other's land titling projects.

b) Non-agricultural Land Titling

- 1) Continue to conduct local seminars to promote the Project's activities in the oblasts.
- 2) Conduct analysis of land sales for the period from August through December 2001 to modify the existing NALT strategy, thereby improving the performance of regional coordinators in all Oblasts, not just those that are considered under-performing.
- 3) Continue site visits to the offices of regional coordinators that regularly fail to meet monthly targets for issuance of State Acts.
- 4) Complete the first draft of the NALT Manual on the process of non-agricultural land privatization and issuance of State Acts.
- 5) Initiate the NALT study, measuring the impact of non-agricultural land privatization on investment and the activity of enterprises.

c) Legal and Regulatory Work

1. To revise the draft Law on Withdrawal of Land Shares in Kind, including comments of the entire team and present the revised draft to interested government institutions such as Derzhkomzem and the Coordinating Council on Agrarian Policy under the Cabinet of Ministers.
2. To review and finalize a revised draft of the Sumy Technical Requirements for the Issuance of State Acts to Land. In addition, the legal team will prepare a position paper on the legality of such technical requirements that the Project can use to justify its reliance on the requirements as a precedent for changes to oblast land titling procedures.
3. To finish the draft Manual on the procedures related to privatization of non-agricultural land and issuance of State Acts.
4. To finish the initial draft of the Law on State Expertise (related to land surveying) with comments from the entire team.
5. To work jointly with Derzhkomzem to promote the adoption of the Regulation on the Procedure for Issuing State Acts for the Right to Ownership of Land (relating to non-agricultural land privatization).

d) Public Education and Outreach

1. Finalize the Project Web Site design.
2. Establish a standardized process to answer letters that the Project receives from citizens and local officials regarding its operation throughout Ukraine.
3. Complete distribution of Project leaflets in the villages where the State Acts will be issued with the Project's support (jointly with the Association of the Farmers and Private Landowners).
4. Preparation of the *New Courier* magazine special issue dedicated to land reform issues and the Project's activities (jointly with UMREP).
5. Hold ceremonies for the signing of cooperation agreements between the Project and Oblast State Administrations, along with a press conference after each ceremony. The Project hopes to sign cooperation agreements in at least four oblasts, which may be chosen from among Rivne, Lviv, Kherson, Zaporizia, Donesk, Lugansk, and Cherkassy.
6. Develop material on success stories coming out of the Project's activities. The Project intends that the first story be on the all women operated non-agricultural land sales office in Volyn oblast.

**USAID Ukraine Land Titling Project
Summary Report for Quarter No. 4, 2001
Addendum to January 2002 Monthly Report**

The following table shows the actions required under the ULT Project Work Plan approved by USAID in August 2001 and the progress of the ULT Project to achieve those goals during the last quarter (October 2001 to December 2001).

Table 6. Summary of Actions for Quarters No. 3 and No.4, 2001

Ongoing Project Management	Recap of Activities in Quarter 03, 2001	Quarter 4, 2001
Sign contract with USAID	Signed on June 22, 2001	N/A
Establish Project bank account	Not completed due to lack of project registration/accreditation	Not completed due to lack of project registration/accreditation
Mobilize project team	Completed in July 2001	N/A
Establish local office	Office established and lease signed in July 2001	N/A
Hire core local staff	Core staff hired in July/August 2001	N/A
Begin project registration and accreditation	N/A	Registration completed on November 22, 2001. Accreditation completed on December 26, 2001.
Submit monthly report to USAID	Reports submitted each month starting with September 2001	Reports submitted monthly
Submit quarterly report to USAID	N/A	First quarterly report submitted in February 2002 (for Quarter No. 4, 2001)
Submit annual report to USAID	N/A	N/A
Cooperation with Ukrainian Organizations		
Sign MOU between USAID and GOU	No MOU signed	MOU Signed on October 31, 2001
Negotiate and sign MOU with Derzhkomzem	No MOU signed	No MOU signed. NOTE: in light of the detail found in the MOU between the US Government and the Government of Ukraine signed on October 31, 2001, there does not appear to be any rationale for signing a separate MOU with Derzhkomzem. The relationship between the Project and Derzhkomzem is defined in sufficient detail in the October 31 MOU.
Negotiate and sign cooperation agreements on project activities with Oblast State Administrations	No cooperation agreements were signed in Quarter No. 3 due to lack of a signed MOU between the US Government and the Government of Ukraine.	Eight cooperation agreements signed by the Project in Sumy, Ternopil, Vinnitsa, Ivano Frankivsk, Chernivtsi, Kharkiv, Poltava, and Zytomyr.
Consult with Ukrainian organizations on identification of areas in which to launch tenders for work supporting preparation and issuance of State Acts	N/A	Work began with Derzhkomzem in November to identify work areas for tenders for land survey and titling work. Additionally, the team works with oblast departments of land resources and private survey firms to identify work areas in which there are State Acts that are "prepared but not issued."
Ongoing identification of areas for streamlining of technical and legal procedures affecting the preparation and issuance of State Acts	The team completed a legal assessment of relevant laws and other legislative acts in Ukraine in September 2001. This assessment in the basis for activities to identify areas for potential streamlining and simplification of land titling procedures.	The team prepared and officially presented to a number of Ukrainian government organizations a new set of Methodological Recommendations relating to land titling and issuance of State Acts to agricultural land. The team also prepared a model regulation related to privatization of non-agricultural land and the issuance of State Acts to such land and presented it to Derzhkomzem. Finally, the legal team prepared a legal analysis of the new Land Code and distributed it to USAID, Ukrainian and donor organizations.

Agricultural Land Titling Activities		
Analyze current technical and legal procedures for preparation and issuance of State Acts	N/A	The team prepared an analysis of the legal and technical procedures that identified areas that can be simplified and streamlined. The Project's draft Methodological Recommendations were prepared on the basis of this analysis.
Develop model contract for preparation and issuance of State Acts based on existing technical and legal requirements	The Project developed a model contract to use when contracting with private survey firms for land titling work.	N/A
Establish regional verification teams	No teams were established in Quarter No. 3, 2001.	Two regional verification teams were established in October 2001. One team is located in Sumy and the second team is located in Ternopil. Both teams actively conduct verification of the work of private land survey firms that contract with the Project to prepare State Acts.
Collect baseline data on Agricultural Land Titling	Baseline data on the number of State Acts issued as reported by Derzhkomzem and the number of State Acts actually issued, as reported by independent information gathers was collected in July 2001. The figures were sent to USAID in August 2001 showing a 25 to 30 percent over-reporting by Derzhkomzem.	N/A
Identify private survey firms with "preprepared" State Acts and negotiate contracts with those firms for such work.	N/A	The team signed contracts with 12 firms in seven oblasts for approximately 130,000 State Acts.
Preparation and issuance (including verification by ULT Project regional teams) of "preprepared" State Acts.	N/A	By December 31, 2001 private survey firms had caused the issuance of 51,023 State Acts in five oblasts.
Identify raions in which to launch tenders for new work to support preparation and issuance of State Acts	N/A	In December 2001, the team identified 42 raions in three oblasts in which a total of 191,790 State Acts are to be prepared and issued.
Launch tender for new work supporting preparation and issuance of State Acts	N/A	The team announced tenders in three oblasts (Sumy, Poltava, and Ternopil) for 191,790 State Acts on December 24, 2001. NOTE: The delay in launching tenders (and subsequent work) was mainly due to the delays in signing the MOU between the US Government and the Government of Ukraine.
Analysis of tender submissions from private companies	N/A	Tender bids were due to the Project on January 11, 2002.
Negotiate contracts with private companies	N/A	No negotiations with private survey firms were conducted in Quarter No. 4, 2001.
Sign Contracts with Private Companies	N/A	No Contracts with private survey firms were concluded in Quarter No. 4, 2001.
Field and office work for preparation and issuance of State Acts		No work was conducted in Quarter No. 4, 2001 on this category of State Act.
Update data on Agricultural Land Titling	N/A	N/A – First update to baseline data is due in January 2002.
State Acts issued (by quarter)	N/A	51,023 State Acts issued with Project assistance as of December 31, 2001. NOTE: The Project expected to assist with issuance of 150,000 State Acts to agricultural land by this date. The goal was not achieved mainly due to problems and delays in signing the MOU.

Non-agricultural Land Titling Activities		
Collection of baseline material on current status of Non-agricultural Land Titling activity	This work was completed in August 2001	N/A
Update Non-agricultural Land Titling Activity	N/A	The non-agricultural data base for land sales and issuance of State Acts is updated each month as regional coordinators report the sales and State Acts issued with their assistance.
Develop model incentive based contract for regional coordinators on privatization of Non-agricultural land and issuance of State Acts	Contract was developed during Quarter No. 3, 2001	N/A
Negotiate and sign incentive based contracts with regional coordinators for privatization of Non-agricultural land and issuance of State Acts	Regional Coordinators agreed to the model incentive based contracts in Quarter No. 3, 2001.	N/A
State Acts issued	As of September 30, 2001 the non-agricultural component of the Project assisted with the issuance of 824 State Acts.	As of December 31, 2001 the non-agricultural component of the Project assisted with the issuance of 1,356 State Acts. NOTE: One of the main reasons for the inability of the regional coordinators to meet the goal of 2,000 State Acts issued by December 31, 2001 is the fact that currently local authorities do not issue a State Act until the Purchaser pays 100 percent of the land's purchase price. Since an estimated 40 percent of the land sales are paid through installment contracts, a large number of sales have not yet resulted in issued State Acts.
Legal and Regulatory Reform Activities		
Conduct legal assessment of laws and regulations affecting the preparation and issuance of State Acts, and protection of rights to private ownership of land	Legal assessment was completed in September 2001	N/A
Present USAID report of findings from legal assessment	The report was presented to USAID in September 2001	N/A
Proposals to improve Agricultural Land Titling Procedures	Proposals to simplify and improve land titling procedures were drafted and presented to USAID in September 2001.	Methodological Recommendations on simplifying agricultural land titling procedures were drafted and given formally to Derzhkomzem, Ministry of Agrarian policy, and the Ukrainian Academy of Agrarian Sciences in December 2001.
Proposals to improve Non-agricultural Land Titling Procedures	Proposals to simplify and improve land titling procedures were drafted and submitted to Derzhkomzem in August 2001.	Model regulation on non-agricultural land sales and issuance of State Acts (to simplify these procedures) was drafted and given to Derzhkomzem in December 2001.
Preparation of Model Regulation on procedure to privatize Non-agricultural land	N/A	The Regulation was drafted and presented to Derzhkomzem in December 2001. The team will work with Derzhkomzem and other Ukrainian authorities to promote the enactment of this regulation at the Cabinet of Ministers level.

Working group on Titling Guidelines	N/A	No working group was formed as of December 31, 2001. Meetings between USAID, the Project, and Derzhkomzem were held in November and December to try to form the working group, but were not successful.
Public Education/Outreach		
Develop public education/outreach strategy	N/A	A draft public education and outreach strategy was developed by the Project. A final strategy will be developed and given to USAID in Quarter No. 1, 2002.
<i>Agricultural Land Titling Issues</i>		
develop brochures and pamphlets	N/A	A series of three pamphlets and one brochure dealing with agricultural land titling issues, legal rights of owners of land share certificates, land leasing, and other issues was developed in Quarter No. 4, 2001. A poster announcing the operation of the project in villages of Ukraine was also prepared. These documents are in the process of being distributed in villages where the Project works on agricultural land titling.
distribute public education materials	N/A	Distribution of the above mentioned public education materials began in November 2001.
sponsor radio program	N/A	The Project has not yet agreed to sponsor a radio program. The team expects to complete this activity in Quarter No. 2, 2002.
work with Private Farmer's Assn. newspaper	N/A	The team signed a cooperation agreement with the Farmer's Association in November 2001. The Project works together with the Association on its monthly newspaper, on distribution of important public information on land titling issues, and on the organization of seminars, press conferences, and other educational activities.
conduct seminars for local officials	N/A	The team began conducting seminars for local officials and media on the Project in December 2001. Much more activity in this regard is expected to occur in Quarter No. 1, 2002.
<i>Non-agricultural Land Titling Issues</i>		
prepare information for enterprises	N/A	A brochure explaining the benefits of non-agricultural land privatization was prepared and distributed to all regional coordinators for use in assisting with privatizing non-agricultural land in October 2001.
distribute information to enterprises	N/A	Regional coordinators distributed the pamphlets to local officials and interested entrepreneurs to stimulate the privatization of non-agricultural land.
conduct seminars/press clubs	N/A	The regional coordinators hold regular press conferences and local seminars to promote the privatization of non-agricultural land. In addition, many regional coordinators have appeared on television and radio to promote the importance of land privatization and the assistance offered by the ULT Project.

ULRMC Cooperation		
Draft preliminary scope of work	The Preliminary scope of work was drafted and submitted to USAID in August 2001.	N/A
Preliminary scope of work approved by USAID	The scope of work was approved by USAID in September 2001.	N/A
Draft Cooperation Agreement between ULTI and ULRMC and final scope of work	N/A	A draft cooperation agreement between the two Projects exists (along with a finalized scope of work) but was not been signed because of problems with registration of both Projects and problems with ULRMC obtaining a waiver of source of origin for the satellite imagery purchase.
Place purchase order for satellite imagery	N/A	No order has been placed due to the problems with obtaining a waiver of source of origin for the imagery from USAID.
Import satellite imagery into Ukraine	N/A	No purchase order has been placed yet.
ULRMC orthoprocessing of satellite imagery	N/A	No purchase order has been placed yet.
Distribute processed satellite imagery to project contractors	N/A	N/A
Gender Issues		
Conduct analysis of gender issues relating to issuance of State Acts	N/A	No work on analyzing the affect of gender on land titling issues has been conducted, mainly because very few State Acts have been issued (due to delays in signing of the MOU between the US Government and the Government of Ukraine).
Environmental Issues		
Work with ULRMC to develop environmental monitoring plan for land titling issues	N/A	Final resolution of environmental requirements on the ULT Project are still under discussion among USAID officials in Kiev and Washington. The Project team has no clear guidelines on its environmentally related scope of work.
Support ULRMC in gathering data to establish baseline for environmental monitoring plan	N/A	Final resolution of environmental requirements on the ULT Project are still under discussion among USAID officials in Kiev and Washington. The Project team has no clear guidelines on its environmentally related scope of work.

Y. Grinchevsky (individual)

Bid Component	Possible Points	Bid Score	Notes
Pricing proposal	75	65	Bid on 1 package
Previous experience	15	5	
Company employees	5	3	
Company inventory	5	5	
Total	100	78	

Additional Notes:

- Mr. Grinchevsky actually filled in his bidding documents at the ULTI central office over a 4 hour period after approaching Sasha Kravchuk saying that he wanted to participate in the tender.
- While discussing the tender with Sasha Kravchuk he stated that he would be subcontracting the Moldovan Land Survey Institute, however, this point was not reflected in the bid documents.
- He has very limited experience, previously issuing State Acts in only one rada and preparing the technical documents for just one other.
- The number of employees proposed (10) is not considered enough to complete the level of work required in the defined time frame.

Geodesia

Bid Component	Possible Points	Bid Score	Notes
Pricing proposal	75	65	Bid on 2 contracts, no prioritization
Previous experience	15	10	
Company employees	5	3	
Company inventory	5	5	
Total	100	83	

Additional Notes:

- Geodesia has issued 5697 State Acts previously, with an additional 10,000 being issued through financing from ULTI.
- The company has another 16 radas where work is scheduled to be completed by the end of February.
- The number of employees proposed (9) is not considered to be enough to complete the work required in the defined time frame.
- This company needs to clarify the number of employees that will be used and whether the company is able to complete the work for both contracts it has bid on.

Galytski Zemli

Bid Component	Possible Points	Bid Score	Notes
Pricing proposal	75	65	Bid on 4 contracts
Previous experience	15	15	
Company employees	5	3	
Company inventory	5	3	
Total	100	86	

Additional Notes:

- A company with a lot of experience, Galytski Zemli has previously issued 15,000 State Acts as well as ??? State Acts issued through financing from ULTI.
- All required documents were submitted.
- The company is currently working in 15 radas with work scheduled for completion at the end of February.
- Due to the number of contracts bid on, it is felt that more staff will be required to implement the required work in the defined time frame.
- Clarification is needed as to whether the company can truly implement the works for 4 contracts simultaneously.

Geo

Bid Component	Possible Points	Bid Score	Notes
Pricing proposal	75	65	Bid on 2 contracts
Previous experience	15	10	
Company employees	5	3	
Company inventory	5	5	
Total	100	83	

Additional Notes:

- Geo proposes splitting the contracts over a 12 month period.
- Most bid documents were submitted excepting the list of its current work areas as well as its license from DKZ.
- It is understood that the company has submitted all the required documents to DKZ for the issuance of the license but DKZ has repeatedly said that it does not have any blank license forms to issue.
- The company is deemed to have a suitable level of experience; previously issuing 2400 State Acts as well as issuing approximately 10,000 State Acts through financing from ULTI
- Although the company has a good inventory of needed equipment it is felt that 13 staff may not be enough if the company is required to implement the work for both contracts over the defined 6 month period.
- Clarification is needed regarding the status of the license from DKZ and further discussion with the company should focus on the contract implementation periods.

Cadastral

Bid Component	Possible Points	Bid Score	Notes
Pricing proposal	75	65	Bid on 2 contracts
Previous experience	15	15	
Company employees	5	3	
Company inventory	5	5	
Total	100	88	

Additional Notes:

- Cadastral also proposes splitting the work for 2 contracts over 12 months rather than 6 months.
- Being the first private survey company established in Ukraine in 1998, Cadastral is very experienced in issuing State Acts. It issued 3000 State Acts in 2001 along with approximately 10,000 issued through financing from ULTI.
- The company has work currently underway that is scheduled for completion by the end of February
- The proposed number of staff (15) is more appropriate if the contracts are split over 12 months.

Geobusiness

Bid Component	Possible Points	Bid Score	Notes
Pricing proposal	75	65	Bid on 2 contracts with priorities
Previous experience	15	10	
Company employees	5	3	
Company inventory	5	5	
Total	100	83	

Additional Notes:

- Although Geobusiness is relatively new to land titling it has managed to implement work in a large number of radas
- 2900 State Acts were issued over the last 12 months as well as around 10,000 issued through financing from ULTI
- The company is currently working to issue additional previously prepared State Acts in 21 radas.
- Clarification is needed as to whether the company will implement both contracts over 6 or 12 months
- Clarification is also needed as to the number of specialists that will be used.

Geocenter

Bid Component	Possible Points	Bid Score	Notes
Pricing proposal	75	65	Bid on 2 contracts with priorities
Previous experience	15	10	
Company employees	5	3	
Company inventory	5	3	
Total	100	84	

Additional Notes:

- No past experience form was submitted but based on comments from Victor Zayats this company has a suitable level of past activity
- Geocenter is currently contracted to ULTI for the release of previously prepared State Acts
- Although the company does have equipment of its own it will be leasing a large amount of equipment to implement works for ULTI.
- The number of staff proposed (9) is not high enough to implement work on 2 projects in the given time frame.
- Further clarification is required on whether work for both contracts can be implemented simultaneously, and whether additional staff will be hired

Gadiach Land and Cadastre Center

Bid Component	Possible Points	Bid Score	Notes
Pricing proposal	75	65	Bid on 1 contract
Previous experience	15	10	
Company employees	5	3	
Company inventory	5	3	
Total	100	81	

Additional Notes:

- This company has a suitable level of experience, having previously issued 6000 State Acts as well as being contracted to ULTI for the release of another 5000 State Acts
- Clarification is required on the number of staff that will be used and further discussion is required on the equipment that will be used

Geosvit

Bid Component	Possible Points	Bid Score	Notes
Pricing proposal	75	65	Bid on 2 contract
Previous experience	15	5	
Company employees	5	5	
Company inventory	5	5	
Total	100	80	

Additional Notes:

- This company has a good level of staffing (20) and a large amount of equipment
- Level of experience is of concern as is their approach to the pricing proposal
- The pricing proposal that was initially submitted in the bid package was not in the format required by the bid preparation instructions so they were asked to resubmit their pricing proposal in the correct format
- When the pricing proposal was resubmitted the quoted bid for one of the contracts was 50% (\$2) of what was originally bid.
- A change in pricing quotes after the deadline was not requested and therefore should not be considered valid. The bid was evaluated based on the prices originally submitted in the bid package
- The company has incorrectly referenced working for ULTI. Contracts were under discussed some time ago but none were actually concluded
- It is not clear how many State Acts this company has actually issued and it only has work underway in 3 radas with the end of January as the scheduled completion date

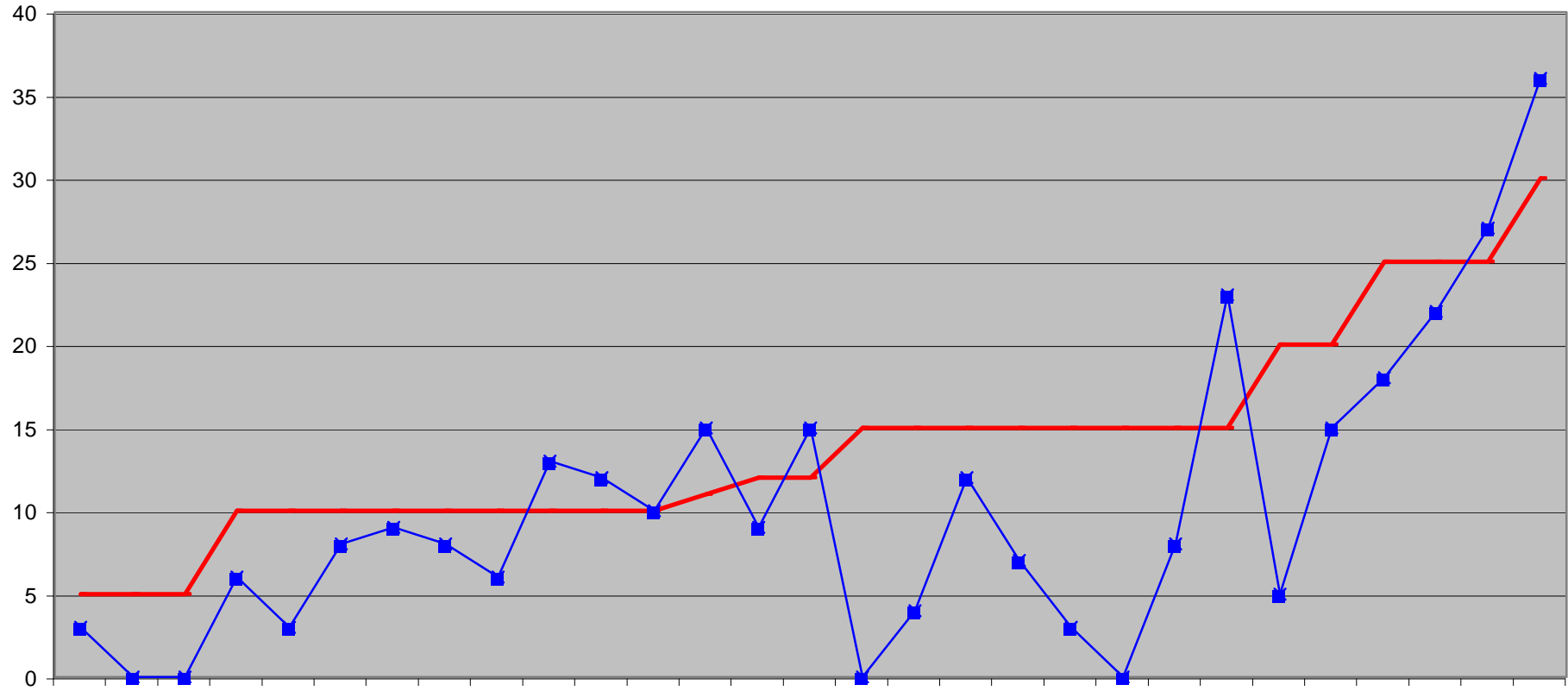
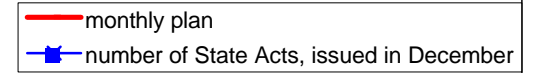
Horizont

Bid Component	Possible Points	Bid Score	Notes
Pricing proposal	75	70	Bid on 2 contracts (\$3.5 & \$4)
Previous experience	15	15	
Company employees	5	5	Including Land Survey Institute
Company inventory	5	5	Including Land Survey Institute
Total	100	95	

Additional Notes:

- This company lodged the lowest bid for any of the contracts under tender (\$3.50)
- This company will subcontract to the Land Survey Institute, with copy of the cooperative agreement included in the bid package.
- The company itself is not licensed but the LSI has the appropriate licenses
- LSI license from Department of Geodesy and Cartography expires in July 2002 so clarification is needed on when application will be lodged for license extension
- The company has submitted a list of 7 staff but that does not include staff resources available from LSI
- Through its cooperation with LSI the company is currently working in 14 radas. Work for these radas is scheduled for completion between May and July 2002.
- The company is currently contracted to ULTI for the release of approximately 10,000 previously prepared State Acts.
- Clarification is also required on whether the company can implement work for 2 contracts simultaneously.

Issuance of State Acts in December



Region



НА ВЛАСНІЙ – НЕ ЧУЖІЙ ЗЕМЛІ



ПРАВО ПОСТІЙНОГО КОРИСТУВАННЯ ЗЕМЛЕЮ ПРИПИНЯЄТЬСЯ.

ЩО ДАЛІ?

З 1 січня 2002 року набрав чинності новий Земельний кодекс України, згідно з яким права постійного користування земельною ділянкою із земель державної та комунальної власності набувають лише підприємства, установи та організації, що належать до державної або комунальної власності.

Земельним кодексом встановлено вимогу до громадян та юридичних осіб, які мають у постійному користуванні земельні ділянки, але відповідно до Кодексу не можуть мати їх на такому праві, до 1 січня 2005 року переоформити у встановленому порядку право власності або право оренди на них.

Сім причин, з яких варто викупити, а не орендувати земельну ділянку

Як орендар Ви не зможете:

- ◆ продати земельну ділянку або її частину, подарувати її, передати у спадок або обміняти на іншу ділянку;
- ◆ без додаткових погоджень здавати в оренду земельну ділянку або її частину разом з будівлями, що на ній знаходяться, і отримувати від цього прибуток;
- ◆ отримати кредит під заставу земельної ділянки;
- ◆ використовувати земельну ділянку в інвестиційному процесі;
- ◆ внести вартість земельної ділянки як актив до статутного фонду підприємства;
- ◆ мати достатні гарантії з боку органів влади або місцевого самоврядування щодо неприпинення права користування земельною ділянкою;
- ◆ **Крім того** як орендар, Ви сплачуватимете не земельний податок, а орендну плату, яка зазвичай у 3-5 разів більша.

Три причини, з яких варто викупити земельну ділянку вже сьогодні

- ◆ Ви захистите кошти свого підприємства від інфляції. Вартість землі завжди залишається стабільною або зростає, незважаючи на інфляційні процеси. Земля є унікальним капіталом за здатністю утримувати вартість, пов'язану з економічною діяльністю.
- ◆ Після приватизації Ви зможете використовувати землю для отримання прибутку: Ви матимете кращі умови для залучення інвестицій, Ви зможете одержати кредит під її заставу, Ви зможете отримувати прибуток, здаючи землю в оренду. Натомість, орендуючи земельну ділянку і сплачуючи орендну плату, Ви лише збільшуєте свої витрати.
- ◆ З об'єктивних причин вже найближчим часом очікується стрімке зростання цін на земельні ділянки комерційного та промислового призначення. Судіть самі: порівняно з позаминулим роком ціни на земельні ділянки несільськогосподарського призначення по Україні зросли на 20%, а в майбутньому, у зв'язку зі змінами в законодавстві та поліпшенням загальних економічних умов, прогнозується зростання цін на землю у 2-3 рази.

Що потрібно зробити для того, щоб викупити земельну ділянку?

1. Звернутися із заявою (клопотанням) про викуп земельної ділянки до місцевої ради або адміністрації.
2. Замовити проведення експертної грошової оцінки земельної ділянки для визначення її вартості.
3. Отримати рішення відповідної ради / адміністрації про продаж земельної ділянки.
4. Укласти договір купівлі-продажу земельної ділянки з відповідною радою / адміністрацією.
5. Отримати державний акт на право власності на земельну ділянку

Пам'ятайте!

Лише після одержання державного акта Ви набуваєте право власності на придбану земельну ділянку!

Регіональні представники Проекту підтримки приватизації землі в Україні, які працюють у кожній області, допоможуть Вам приватизувати земельну ділянку

Послуги, що надаються підприємствам та приватним підприємцям:

- ◆ юридичні консультації з питань права власності на землю;
- ◆ практична допомога на всіх етапах процесу приватизації землі;
- ◆ практична допомога у підготовці та оформленні документів, необхідних для здійснення приватизації земельної ділянки;
- ◆ проведення експертної грошової оцінки земельних ділянок;
- ◆ виготовлення матеріалів відведення та технічної документації по видачі державного акта;
- ◆ забезпечення взаємодії з органами місцевого самоврядування та місцевими органами земельних ресурсів.

Докладнішу інформацію про Проект Ви можете отримати за адресою:

01030, Україна, Київ, вул. Івана Франка 36, офіс 3

Тел./факс: (044) 238-60-86 Електронна пошта office@ulti.kiev.ua

Представник Проекту у Вашій області: