



CIAC Form 001
 (Revised April 5, 2001)

CONSTRUCTION INDUSTRY ARBITRATION COMMISSION
REQUEST FOR ADJUDICATION

CLAIMANT

NAME OF COMPANY : _____
 AUTHORIZED
 REPRESENTATIVE : _____
 BUSINESS ADDRESS : _____
 TELEPHONE NUMBER : _____

RESPONDENT

NAME OF COMPANY : _____
 AUTHORIZED
 REPRESENTATIVE : _____
 BUSINESS ADDRESS : _____
 TELEPHONE NUMBER : _____

MODE OF SETTLEMENT :

- Arbitration
- Conciliation/Mediation

IN CASE OF ARBITRATION :

- Sole Arbitrator
- Arbitral Tribunal

CHOICE OF ARBITRATOR : (Sole - at least 3 / Tribunal - at least 6)

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

Is there an arbitration clause in the contract? Y N. If none, please accomplish the AGREEMENT TO ARBITRATE at the back hereof. In case of government contract, have all administrative remedies been exhausted? Y N

SUM IN DISPUTE : _____ (_____)

DOCUMENTS REQUIRED : Please submit the following in : 5 copies if Tribunal / 3 copies if Sole Arbitrator

- Complaint/Narration of Facts
- Construction contract
- Agreement to arbitrate
- Documents establishing the circumstances of the case
- In case of government contract, communications made with the highest authority for administrative remedies.

Date Filed : _____
 Case Number : _____
 Deposit Paid : _____
 O.R. No. : _____
 Date Issued : _____
 Remarks : _____

 Signature of Claimant/Authorized Representative
 Res. Cert. No.: _____
 Issued at : _____
 Issued at : _____



_____ TIN : _____

AGREEMENT TO ARBITRATE

We, _____ and
(Name of Company)

(Name of Company)

not withstanding our contract for the construction of

(Name of Project)

stipulating for the arbitration/settlement of dispute distinct from what is provided for in Executive Order No. 1008, hereby submit ourselves to the jurisdiction of the Construction Industry Arbitration Commission (CIAC) and request the CIAC to arbitrate our dispute in said project.

(Name of Company/Contractor)

(Name of Company/Owner)

By:

By:

Signature over Printed Name of
Authorized Representative

Signature over Printed Name of
Authorized Representative



**CIAC TABLE of ADMINISTRATIVE CHARGES and
 ARBITRATOR'S FEES**

A. FOR MONETARY CLAIMS

I. SCHEDULE OF FILING AND ADMINISTRATIVE FEES
 (Approved in the CIAC Special Meeting held on February 13, 2001)

SUM IN DISPUTE	FILING FEE	ADMINISTRATIVE FEE
Less than P100,000.00	P3,600.00	P6,000.00
P100,000.00 to P1.0M	P3,600.00 + 0.36% of excess over P100,000	P6,000.00 + 0.24% of excess over P100,000
P1.0M to P10.0M	P6,840.00 + 0.12% of excess over P1.0M	P8,160.00 + 0.12% of excess over P1.0M
P10.0M to P50.0M	P17,640.00 + 0.06% of excess over P10.0M	P18,960.00 + 0.06% of excess over P10.0M
More than P50.0M	P41,640.00 + 0.03% of excess over P50.0M	P42,960.00 + 0.03% of excess over P50.0M

Note * M = Million
 * Pursuant to CIAC Resolution No. 2-96, a special assesment fee, for the establishment of Arbitration Development Fund, equivalent to 1/10 of 1% of the Sum In Dispute (SID) shall be imposed on SID over 1 Million.

II. ARBITRATOR'S FEES

The honoraria of the Arbitrators shall consist of a Base Amount plus Adjustments to reflect complexity of the case, number of disputants and number of arbitrators.

1. BASE AMOUNT

1st	P1M	P_____	-	2% of the Sum in Dispute
next	4M	5.0 M	-	20,000.00 + 1.00% in excess of 1.0 M
next	5M	10.0 M	-	60,000.00 + 0.75% in excess of 5.0 M
next	10M	20.0 M	-	97,500.00 + 0.50% in excess of 10.0 M
next	20M	50.0 M	-	147,500.00 + 0.20% in excess of 20.0 M
next	50M	100.0 M	-	207,500.00 + 0.10% in excess of 50.0 M
above	100 M		-	257,500.00 + 0.05% in excess of 100.0 M

Note : M = Million



2. ADJUSTMENTS

The Base Amount computed in Item No. 1 shall be adjusted to take into account the following:

	Adjustment Factor -----
2.1 Complexity (AF ₁)	
Simple/Common	1.0
Complex	1.5
2.2 No.of Disputants (AF ₂)	
2	1.0
3	1.1
4	1.2
5 and over	1.3
2.3 No.of Arbitrators (AF ₃)	
1	1.0
3	2.0
2.3 Overall Adjustment Factor (OAF)	
OAF =	(AF ₁ + AF ₂ + F ₃) - 3.0

3. Total Honoraria = Base Amount x (OAF + 1.0)

III. SCHEDULE OF PAYMENTS

A. Upon filing of the Request for Adjudication (RFA)

- * Preliminary Filing Fee ----- P3,600.00
- * Initial Deposit for Arbitrator's Fees
 - ** 10% of arbitrator's fees based on amount of claim or P5,000.00
whichever is higher but not to exceed P50,000.00
 - ** Respondent to deposit similar amount based on his counterclaim, if any
- * special assesment fee under CIAC Res. No. 2-96, if applicable

B. Upon signing of the Terms of Reference (TOR) :

- * Balance of the Filing Fee
- * 50% of the Administrative Fee
- * 50% of the Arbitrator's Fee

C. At the Penultimate Hearing / Meeting :

- * 50% of the Administrative Fee
- * 50% of the Arbitrator's Fee
- if no hearing is held, the last two tranches (B & C) shall be due upon TOR signing



B. FOR NON-MONETARY CLAIMS

ARBITRATION FEES FOR NON-MONETARY CLAIMS
(Approved in the 23rd CIAC Regular Meeting held on July 14, 1993)

B.1 PURELY NON-MONETARY AWARD INVOLVED

SCHEDULE OF PAYMENTS-

1. FILING FEE

₱3,600.00 plus 9.0% of the arbitrators' fees

- ₱3,600.00 upon filing of the Request for Adjudication.
- 8.0% of the estimated total arbitrators' fees upon signing of the TOR.
- balance of the filing fee based on actual total arbitrators' fees upon award

2. ADMINISTRATIVE FEES

₱6,000.00 plus 6% of total arbitrators' fees

- ₱6,000.00 upon signing of the Terms of Reference (TOR) plus 6% of estimated total arbitrators' fees.
- Upon award, balance of administrative fees based on actual total arbitrators' fees.



3. ARBITRATORS' FEES

- | | | | |
|-----|---|---|--|
| 3.1 | Acceptance Fee | - | 10,000.00 upon filing of the Request for Adjudication |
| 3.2 | Fees per session | - | Upon signing of the TOR, 50% of estimated arbitrators' fees |
| | For a Tribunal | | |
| | Chairman: | - | Upon award, balance of arbitrators' fees based on actual number of sessions. |
| | Minimum of ₱4,500.00 per session of 3 hours or less plus ₱1,500.00 in excess of 3 hours. | - | Upon Award |
| | Members : | | |
| | Minimum of ₱3,000.00 per session of 3 hours or less plus ₱1,000.00 per hour in excess of 3 hours. | | |
| | For Sole Arbitrator : | | |
| | Minimum of ₱7,500.00 per session of 3 hours or less plus ₱2,500.00 per hour in excess of 3 hours. | | |

4. AWARD DRAFTING

₱10,000.00

B.2 FOR NON-MONETARY CLAIMS BUT WITH MONETARY AWARD INVOLVED

Fees will be based on the schedule of monetary claims.

SCHEDULE OF CONCILIATION/MEDIATION FEES

Administrative Fee	₱1,200.00 per meeting
Conciliator's/ Mediator's Fee	₱ 500.00 per person/hour/meeting
Deposit	₱6,000.00*

- * Should the parties in the conciliation/mediation proceeding decide to elevate their case to arbitration, any excess in the amount deposited conciliation/mediation after the actual administrative and conciliator/mediator's fees have been deducted may be used to defray the charges in arbitration.



LIST OF CIAC-ACCREDITED ARBITRATORS

1. Alikpala, Federico Y. - Lawyer
2. Alli, Armando N. - Architect, Urban/Regional Planner
3. Andamon, Eugenio S. - Civil Engineer
4. Andrada, Danilo T. - Prof. Electrical/Prof. Mechanical/
Industrial Engineer/
Master Plumber/
Marine Engineer/
Instrumentation Engineer
5. Aquino, Loreto C. - Civil Engineer
6. Asuncion, Maria Clara B. - Lawyer
7. Balde II, Antonio Yulo - Architect, Master Plumber
8. Battad, Ernesto J. - Civil/Sanitary Engineer, Master Plumber
9. Basa, Ricardo S. - Civil Engineer
10. Butalid, Jacinto M. - Lawyer, Civil Engineer
11. Cabote, Regulus E. - Lawyer
12. Canchela, Cesar V. - Architect
13. De Castro, Ernesto S. - Civil/Structural Engineer
14. Castro, Salvador Jr. P. - Civil Engineer
15. Castro, Tomas Jr. M. - Civil Engineer
16. Ceguera, Salvador C. - Lawyer
17. Claridad, Guillermo G. - Electrical Engineer
18. Cosico, Manuel M. - Lawyer
19. Cruz, Lauro M. - Civil/Structural/Soil Engineer
20. David, Romeo C. - Civil Engineer
21. Evangelista, Eliseo I. - Civil/Structural Engineer
22. Fajardo, Beda G. - Lawyer
23. Firme, Wenfredo A. - Mechanical Engineer
24. Florentino, Edilberto F. - Architect
25. Garchitorea, Francis E.* - Lawyer
26. Goco, Antonio I.* - Civil Engineer
27. Inciong, Enrique P.* - Civil/Hydraulic Engineer
28. Joaquin, Joven B. - Certified Public Accountant
29. Jovellanos, Jose U. - Mechanical/Electrical Engineer
30. Juinio, Alfredo L. - Civil/Structural Engineer
31. Lazatin, Victor P. - Lawyer
32. Lopez Vicente B. - Civil Engineer
33. Mansueto, Antonio A. - Civil/Mechanical/Electrical/Sanitary/
Geodetic/Electronics/Communication/
Highway/Hydraulic Engineer
34. Mansueto, Guadalupe O. - Civil/Structural/Geodetic/Sanitary
Engineer
35. Marciano, Joel J. - Electronics & Communication/Electrical
Engineer
36. Noto, Paulino N. - Lawyer
37. Ocampo, Lamberto Un - Civil/Sanitary Engineer
38. Ordonez, Sedfrey A.* - Lawyer
39. Paderon, Rosauro S. - Architect
40. Parlade, Custodio O. - Lawyer



Republic of the Philippines
Department of Trade and Industry
CONSTRUCTION INDUSTRY AUTHORITY OF THE PHILIPPINES
Construction Industry Arbitration Board (CIAC)
4/F, Jupiter I Bldg., 56 Jupiter St., Bel Air
Makati City, Philippines
Tel.no.(632) 8970853/ 8979313 Fax No.(632) 8979336



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|-----|------------------------|---|--|
| 41. | Pio Roda, Felicitas A. | - | Architect |
| 42. | Reyes, Felisberto G.L. | - | Civil/Structural Engineer,
Surveyor |
| 43. | Reyes, Jesus M. | - | Architect |
| 44. | San Juan, Ricardo B. | - | Civil/Industrial Engineer |
| 45. | Tadiar, Alfredo F. | - | Lawyer |
| 46. | Tiongson, Alicia A. | - | Statistician, Environmental
Planner |
| 47. | Trinidad, Leonardo P. | - | Mechanical Engineer |
| 48. | de Venecia, Nicasio A. | - | Architect |
| 49. | Villafranca, James S. | - | Lawyer |
| 50. | Viloria, Leandro | - | Environmental/Urban & Regional Planner |
| 51. | Viray, Reynaldo T. | - | Civil Engineer |

* Not Available



CONCILIATION/MEDIATION AGREEMENT

We, _____
(Name of Claimant)

And

(Name of Respondent)

hereby submit ourselves to the jurisdiction of the Construction Industry Arbitration Commission (CIAC) and request the CIAC to conciliate/mediate our dispute in:

(Name of Project)

Should the conciliation/mediation fails, we both agree to elevate the dispute to arbitration and shall abide by the decision of the arbitrator.

(Name of Claimant/s)

(Name of Respondent/s)

By: _____

By: _____

Signature over Printed Name of
Authorized Representative

Signature over Printed Name of
Authorized Representative



MODEL ARBITRATION CLAUSE

"Any dispute arising out of or in connection with this contract, including any question regarding its existence, validity or termination shall be referred to and finally resolved by arbitration under the Rules of Procedure Governing Construction Arbitration promulgated pursuant to Executive Order 1008 (the Construction Industry Arbitration Law) by (indicate number: one or three) arbitrator(s) to be appointed in accordance with such Rules. The place of arbitration shall be (indicate place)."