

## CONSTRUCTION INDUSTRY AUTHORITY OF THE PHILIPPINES Construction Industry Arbitration Board (CIAC)



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

CIAC Form 001 (Revised April 5, 2001)

# CONSTRUCTION INDUSTRY ARBITRATION COMMISSION REQUEST FOR ADJUDICATION

#### CLAIMANT

AUTHORIZED REPRESENTAT BUSINESS ADD	IVE RESS					
		R	ESPONDEN <sup>*</sup>	г		
AUTHORIZED REPRESENTAT BUSINESS ADD	IVE RESS	:				
	MODE	OF SETTLEMENT:	IN CAS	SE OF ARBITR	ATION:	
	[]	Arbitration Conciliation/Mediation	[]			
CHOICE OF	ARB	ITRATOR : ( Sole - at	least 3 /	Tribunal -	at least 6 )	
2			5			
Is there an arb	itration		Y [ ] N.	If none, pleas	e accomplish the AGREEMENT trative remedies been exhausted	
SUM IN DIS	PUTE	; <u>.</u>			(	)
DOCUMENT	'S RE	QUIRED: Please submit	t the following	g in : 5 copies it	Tribunal / 3 copies if Sole Arbitra	ator
[ ] Consti [ ] Agreei [ ] Docun	ruction on ment to nents es	arbitrate stablishing the circumstances		vith the highest	authority for administrative reme	dies.
Date Filed Case Number Deposit Paid O.R. No.	: : :		 F	Si les. Cert. No.:	gnature of Claimant/Authorized Representative	
Date Issued Remarks	:		ls	sued at :		

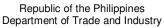


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Makati City, Philippines
Tel.no.(632) 8970853/ 8979313 Fax No.(632) 8979336

	IN :
AGREEMENT TO A	ARBITRATE
We,	and
(Name of Com	pany)
(Name of Com	pany)
not withstanding our contract f	or the construction of
(Name of Pro	ject)
stipulating for the arbitration/settlement of di	
for in Executive Order No. 1008, hereby subn	nit ourselves to the jurisdiction of the
Construction Industry Arbitration Commission	on (CIAC) and request the CIAC to
arbitrate our dispute in said project.	
(Name of Company/Contractor)	(Name of Company/Owner)
(Name of Company/Contractor)	(Name of Company/Owner)
Ву:	Ву:





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# 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	₽3,600.00	₽6,000.00
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
₽1.0M to ₽10.0M	₽6,840.00 + 0.12% of excess over ₽1.0M	P8,160.00 + 0.12% of excess over P1.0M
₽10.0M to ₽50.0M	P17,640.00 + 0.06% of excess over P10.0M	₽18,960.00 + 0.06% of excess over ₽10.0M
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

#### 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	₽1M	₽	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.O 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

<sup>\*</sup> Pursuant to CIAC Resolution No. 2-96, a special assessment 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.



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#### 2. ADJUSTMENTS

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

0.4	0 1 1 (45)	Adjustment Factor
2.1	Complexity (AF <sub>1</sub> ) Simple/Common Complex	1.0 1.5
2.2	No.of Disputants (AF <sub>2</sub> )	
	2	1.0
	3	1.1
	4	1.2
	5 and over	1.3
2.3	No.of Arbitrators (AF <sub>3</sub> )	
	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)

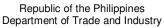
- \* Initial Deposit for Arbitrator's Fees
  - \*\* 10% of arbitrator's fees based on amount of claim or P5,000.00 whichever is higher but not to exceed P50,000.00
  - \*\* Respondent to deposit similar amount based on his counterclaim, if any
- special assesment fee under CIAC Res. No. 2-96, if applicable

#### 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





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#### 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

P3,600.00 plus 9.0% of the arbitrators' fees - P3,600.00 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

P6,000.00 plus 6% of total arbitrators' fees - P6,000.00 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.



#### **CONSTRUCTION INDUSTRY AUTHORITY OF THE PHILIPPINES Construction Industry Arbitration Board (CIAC)**



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#### 3. ARBITRATORS' FEES

Acceptance Fee 3.1

3.2 Fees per session

For a Tribunal

Chairman:

Minimum of P4,500.00 per session of 3 hours or less plus P1,500.00 in excess of 3

hours.

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

P10,000.00

**B.2** 

10,000.00 upon filing of the Request for Adjudication

Upon signing of the TOR, 50% of estimated arbitrators' fees

Upon award, balance of arbitrators' fees based on actual number of sessions.

**Upon Award** 

## FOR NON-MONETARY CLAIMS BUT WITH MONETARY AWARD INVOLVED

Fees will be based on the schedule of monetary claims.

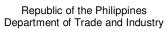
#### SCHEDULE OF CONCILIATION/MEDIATION FEES

Administrative Fee P1,200.00 per meeting

Conciliator's/ Mediator's Fee ₽ 500.00 per person/hour/meeting

Deposit P6,000.00\*

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.





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## 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. 24.	Firme, Wenfredo A.	-	Mechanical Engineer Architect
2 <del>4</del> . 25.	Florentino, Edilberto F. Garchitorena, Francis E.*	-	
26.	Goco, Antonio I.*	_	Lawyer Civil Engineer
20. 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



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41. 42.	Pio Roda, Felicitas A. Reyes, Felisberto G.L.	-	Architect Civil/Structural Engineer, Surveyor
43.	Reyes, Jesus M.	-	Architect
44. 45.	San Juan, Ricardo B. Tadiar, Alfredo F.	-	Civil/Industrial Engineer 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

<sup>\*</sup> Not Available



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## CONCILIATION/MEDIATION AGREEMENT

We,	
	Claimant)
A	nd
(Name of F	Respondent)
hereby submit ourselves to the jurisdiction Commission (CIAC) and request the CIA	on of the Construction Industry Arbitration AC to conciliate/mediate our dispute in:
(Name o	of Project)
Should the conciliation/mediation fails, arbitration and shall abide by the decision	we both agree to elevate the dispute to n of the arbitrator.
(Name of Claimant/s)	(Name of Respondent/s)
Ву:	Ву:
Signature over Printed Name of Authorized Representative	Signature over Printed Name of Authorized Representative



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### 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)."