



Republic of the Philippines  
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
**OFFICE OF THE SECRETARY**  
Bonifacio Drive, Port Area  
Manila

097.13.DAWH  
09-11-2017

06 SEP 2017

NBCDO MEMORANDUM )  
CIRCULAR NO. **03** )  
Series of 2017 *09-11-17*

**SUBJECT : Revised Format of Quarterly  
Situational Report**

**TO : ALL BUILDING OFFICIALS  
CITY/MUNICIPAL ENGINEERS**

In line with the Construction Industry Authority of the Philippines (CIAP) Board Resolution No. 13, series of 2017, the following requirements stipulated in the NBCDO Memorandum Circular No. 04 series of 2007 are hereby reiterated and accordingly, you are directed to strictly implement the provisions under Section 304, Subsection 5 – "Terms and Conditions of Permits" Items (f) and (g) of the Revised Implementing Rules and Regulations (IRR) of the National Building Code of the Philippines (PD 1096):

1. When the construction of a certain project is undertaken by contract, the work shall be done only by a duly licensed and registered contractor pursuant to the provisions of the Contractor's License Law (RA 4566);
2. Prior to any construction, the Owner/Permittee shall be advised to submit a duly accomplished prescribed "**Notice of Construction**" (NBC Form B-20) to the Office of the Building Official;
3. Submit a copy of the duly accomplished NBC Form B-20 to CIAP for their verification of the listed contractors thereat; and
4. For monitoring purposes and pursuant to Section 207, IRR of PD 1096, submit a **Quarterly Situational Report**, as revised (see attached copy) to the undersigned, thru the NBCDO, on the status of all on-going and proposed building/structure construction activities in your area, specifically on the number of building permits issued as well as the number of Notices of Construction received and verified with the CIAP.

Furthermore, with the implementation of the Philippine Green Building Code (PGBC) made effective thru NBCDO Memorandum Circular No. 01 dated February 2, 2016, the Quarterly Situational Report as mentioned in Item (4) above, is hereby revised to include data needed in the measurement of its results and impacts.

Immediate and strict compliance is enjoined.

  
**MARK A. VILLAR**  
Secretary

Department of Public Works and Highways  
Office of the Secretary



WIN7V17510

Encls: A/s

City/Municipality of \_\_\_\_\_  
Province of \_\_\_\_\_  
**OFFICE OF THE BUILDING OFFICIAL**

**QUARTERLY SITUATIONAL REPORT**

For the period \_\_\_\_\_ to \_\_\_\_\_, 20\_\_\_\_

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>BUILDING PERMIT (B.P.)</b>	<b>PROJECT NAME AND LOCATION</b>	<b>BUILDING TYPE/ SCOPE OF WORK</b>	<b>AREA (Sq. M.)</b>	<b>BUILDING OWNER/S/ APPLICANT/S</b>	<b>FULL-TIME INSPECTOR/ SUPERVISOR</b>	<b>COMPLIANCE TO THE PROVISIONS OF BP 344 (Accessibility Law)</b>	<b>PROJECT STATUS As of ____/____/____ (mm/dd/yyyy)</b>
<input type="checkbox"/> New <input type="checkbox"/> Renewal <input type="checkbox"/> Amendatory  a. B.P. Number _____  b. Date issued __/__/____ (mm/dd/yyyy)	Project Name: _____  Location: _____	<input type="checkbox"/> a. Residential Condominium No. of Units _____ <input type="checkbox"/> b. Hotels No. of Rooms _____ <input type="checkbox"/> c. Hospitals No. of Beds _____ <input type="checkbox"/> d. Others (Specify) _____	a. Lot area _____ Sq. M.  b. Total Floor Area _____ Sq. M. <input type="checkbox"/> Within the scope of the Philippine Green Building Code (PGBC) <input type="checkbox"/> Outside the scope of PGBC		a. Name _____  b. Profession _____  c. PRC Reg. No. _____	<input type="checkbox"/> Complied  <input type="checkbox"/> Not Complied	<input type="checkbox"/> On-going  <input type="checkbox"/> Abandoned  <input type="checkbox"/> Deferred  <input type="checkbox"/> Stopped  <input type="checkbox"/> Completed
<b>PROJECT UNDERTAKEN BY:</b> <input type="checkbox"/> ADMINISTRATION <input type="checkbox"/> CONTRACT		<b>IF BY CONTRACT:</b> <input type="checkbox"/> NOTICE OF CONSTRUCTION SUBMITTED BY THE OWNER/PERMITTEE (Copy furnished to CIAP*) <input type="checkbox"/> NOTICE OF CONSTRUCTION RECEIVED/VERIFIED BY CIAP					
<b>DESIGN PROFESSIONAL INVOLVED ON THE ABOVECITED PROJECT:</b>							
NAME	PROFESSION/TITLE (Field of Specialty)	PRC REG. NO.	VALIDITY DATE	ADDRESS			
	ARCHITECT						
	CIVIL/STRUCTURAL ENGINEER						
	PROF. ELECTRICAL ENGINEER						
	PROF. MECHANICAL ENGINEER						
	PROF. ELECTRONICS ENGINEER						
	SANITARY ENGINEER						
	MASTER PLUMBER						

NOTE: MARK APPROPRIATE BOX WITH ☒

SUBMITTED BY: \_\_\_\_\_

\_\_\_\_\_  
BUILDING OFFICIAL  
(Signature Over Printed Name)

\* Construction Industry Authority of the Philippines (CIAP) - 3/F, Trade and Industry Building, 361 Sen Gil J. Puyat Avenue, Makati City

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

Republic of the Philippines  
City/Municipality of \_\_\_\_\_  
Province of \_\_\_\_\_

## OFFICE OF THE BUILDING OFFICIAL

# NOTICE OF CONSTRUCTION

I, \_\_\_\_\_, owner of the proposed \_\_\_\_\_ to be constructed at Lot No. \_\_\_\_\_, Block No. \_\_\_\_\_, Barangay \_\_\_\_\_, City/Municipality of \_\_\_\_\_, under OCT/TCT No. \_\_\_\_\_, covered by Building Permit No. \_\_\_\_\_ issued on \_\_\_\_\_, have engaged the service/s of the following contractor/s to undertake the construction and other ancillary works of the aforesaid building/structure pursuant to the provisions of the Contractor's License Law (R.A. 4566) which is expected to start on \_\_\_\_\_.

<b>GENERAL BUILDING CONTRACTOR:</b> Company Name _____ PCAB License No. _____ Validity _____ TIN _____ Address _____ Tel. No. _____ Authorized Managing Officer _____ _____ Date _____ (Signature Over Printed Name)	<b>SPECIALTY CONTRACTOR: ELECTRICAL</b> Company Name _____ PCAB License No. _____ Validity _____ TIN _____ Address _____ Tel. No. _____ Authorized Managing Officer _____ _____ Date _____ (Signature Over Printed Name)
<b>SPECIALTY CONTRACTOR: MECHANICAL</b> Company Name _____ PCAB License No. _____ Validity _____ TIN _____ Address _____ Tel. No. _____ Authorized Managing Officer _____ _____ Date _____ (Signature Over Printed Name)	<b>SPECIALTY CONTRACTOR: PLUMBING</b> Company Name _____ PCAB License No. _____ Validity _____ TIN _____ Address _____ Tel. No. _____ Authorized Managing Officer _____ _____ Date _____ (Signature Over Printed Name)
<b>SPECIALTY CONTRACTOR: (Specify trade) _____</b> Company Name _____ PCAB License No. _____ Validity _____ TIN _____ Address _____ Tel. No. _____ Authorized Managing Officer _____ _____ Date _____ (Signature Over Printed Name)	<b>SPECIALTY CONTRACTOR: (Specify trade) _____</b> Company Name _____ PCAB License No. _____ Validity _____ TIN _____ Address _____ Tel. No. _____ Authorized Managing Officer _____ _____ Date _____ (Signature Over Printed Name)

**I/WE HEREBY AFFIX MY/OUR SIGNATURE/S SIGNIFYING MY/OUR CONFORMITY TO THE INFORMATION HEREIN ABOVE SET FORTH**

<b>BUILDING OWNER</b> _____ Date _____ (Signature Over Printed Name) Address _____ C.T.C. No. _____ Date Issued _____ Place Issued _____	<b>WITH MY CONSENT: LOT OWNER</b> _____ Date _____ (Signature Over Printed Name) Address _____ C.T.C. No. _____ Date Issued _____ Place Issued _____
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**NOTE:**

- The duly accomplished **Notice of Construction** shall be submitted to the Office of the Building Official concerned prior to construction. The Building Official shall submit a copy to the Construction Industry Authority of the Philippines and the Department of Labor and Employment.
- Under Article 1723 of the Civil Code of the Philippines, the engineer or architect who drew up the plans and specifications for the building/structure is liable for damages if within fifteen (15) years from completion of the building/structure, the same should collapse due to defect on the plans and specifications or defects in the ground. The contractor is likewise solidarily liable with the engineer or architect who supervises the construction for damages should the edifice collapse due to defect in the construction or the use of inferior materials.
- Before commencing the excavation, the person making or causing the excavation to be made shall notify the in writing the owner of adjoining property not less than Sten (10) days before such excavation is to be made and show how the adjoining property should be protected. The contractor shall be obliged to provide necessary protection prescribed by the IRR and the Department of Labor and Employment.
- Installation of Signboard at Construction Site**, every licensed contractor shall install or erect in a prominent position on the site, of any construction (other than construction work constituting alterations or repairs of any building, house or establishment) being carried out by him or on his behalf or on the outside of the place where such construction is being carried out at least 900 millimeters by 1800 millimeters billboard showing in easily legible characters his name and license number, and the classification of the license held by him, and if the license is a "specialty contractor's license", the classified trade in which he is authorized to undertake and carry out construction work.

Provided, that where the holder of a specialty contractor's license is carrying out construction work in association with the holder of a general engineering contractor's license or a general building contractor's license, or in both, it shall be a sufficient compliance of this section if the installation requirement is complied only by the general building or the general engineering contractor.



Republic of the Philippines  
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
OFFICE OF THE SECRETARY  
Bonifacio Drive, Port Area, Manila

097.13 DPWH

04-26-2007

April 13, 2007

**NBCDO MEMORANDUM CIRCULAR**

NO.

04

Series of 2007

X-----X

**TO : ALL ACTING BUILDING OFFICIALS**

In consonance with the objective of PD 1096 under Section 201 to ensure public safety in the design and construction of buildings and structures and in line with the CIAP Board Resolution No. 6, series of 2006, all Building Officials are directed to immediately and strictly implement the provisions under Section 304, Subsection 5 - "Terms and Conditions of Permits", Items (f) and (g) of the Revised Implementing Rules and Regulations (IRR) of the National Building Code of the Philippines (PD 1096) whereby:

1. When the construction of a certain project is undertaken by contract, the work shall be done only by a duly licensed and registered contractor pursuant to the provisions of the Contractor's License Law (RA 4566);
2. Prior to any construction, the Owner/Permittee shall be advised to submit a duly accomplished prescribed "**Notice of Construction**" (NBC Form B-20) to the Office of the Building Official;
3. Submit a copy of the NBC Form B-20 to the Construction Industry Authority of the Philippines (CIAP) for their verification of the listed contractors thereat; and
4. For monitoring purposes and pursuant to Section 207, IRR of PD 1096, submit a quarterly situational report, as amended (see attached copy), to the undersigned thru the NBCDO, on the status of all on-going and proposed building/structure construction activities in your area, specifically on the number of building permits issued as well as the number of Notices of Construction received and verified with the CIAP.

Immediate and strict compliance is enjoined.

**MANUEL M. BONOAN**  
Officer-In-Charge

Encl: a/s



WIN7V04769

City/Municipality of \_\_\_\_\_  
Province of \_\_\_\_\_  
**OFFICE OF THE BUILDING OFFICIAL**

**QUARTERLY SITUATIONAL REPORT**

PROJECT'S									
BUILDING PERMIT		TYPE AND LOCATION	SCOPE OF WORK	TOTAL FLOOR AREA	BLDG. OWNER'S/ APPLICANT'S NAME	FULL-TIME INSPECTOR / SUPERVISOR			COMPLIANCE TO THE PROVISIONS OF BP 344 (Accessibility Law)
NO.	DATE ISSUED (MMDDYYYY)					NAME	PROFESSION	PRC. NO.	
									<input type="checkbox"/> Complied <input type="checkbox"/> Not Complied
PROJECT UNDERTAKEN BY: <input type="checkbox"/> ADMINISTRATION <input type="checkbox"/> CONTRACT  IF BY CONTRACT: <input type="checkbox"/> NOTICE OF CONSTRUCTION SUBMITTED BY THE OWNER/PERMITTEE (Copy furnished to CIAP) <input type="checkbox"/> NOTICE OF CONSTRUCTION RECEIVED / VERIFIED BY CIAP									
DESIGN PROFESSIONALS INVOLVED ON THE ABOVECITED PROJECT:									
NAME		PROFESSION / TITLE (Field Of Specialty)	PRC REG. NO.	VALIDITY DATE	A D D R E S S				
		ARCHITECT							
		CIVIL / STRUCTURAL ENGINEER							
		PROF. ELECTRICAL ENGINEER							
		PROF. MECHANICAL ENGINEER							
		SANITARY ENGINEER							
		MASTER PLUMBER							
		PROF. ELECTRONICS ENGINEER							

NOTE: MARK APPROPRIATE BOX WITH ☒

Submitted by:

**BUILDING OFFICIAL**

(Signature Over Printed Name)

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

Copy furnished: **Construction Industry Authority of the Philippines**  
4th Flr. Jupiter I Bldg., #56 Jupiter St., Bel-Air Village  
Makati City

**REPUBLIC ACT No. 4566**

**AN ACT CREATING THE PHILIPPINE LICENSING BOARD FOR CONTRACTORS, PRESCRIBING ITS POWERS, DUTIES AND FUNCTIONS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES.**

**Section 1. *Title of Act.*** This Act shall be known as the "Contractors' License Law."

**ARTICLE I  
Administration**

**Section 2. *Composition of the Board.*** To carry out the purpose of this Act, there is hereby created a "Philippine Licensing Board for Contractors", under the office of the Board of Examiners, hereinafter referred to as the Board, consisting of a Chairman and two other members who shall be appointed by the President of the Philippines, with the consent of the Commission on Appointments.

**Section 3. *Qualifications of members.*** Each member of the Board shall be of recognized standing in his branch of the contracting business for ten years, or more, a citizen and resident of the Philippines for at least eight years immediately prior to his appointment, at least thirty-five years of age and possessed of a good moral character.

**Section 4. *Term of office.*** The Chairman and members of the Board shall hold office for a term of three years. The members of the Board first appointed shall hold office for the following terms: Chairman for three years; one member for two years; and the other member for one year.

Any member of the Board may be removed by the President of the Philippines for neglect or dereliction of duty, incompetence, malpractice, and unprofessional, unethical, immoral or dishonorable conduct: *Provided*, That in the course of investigation, the President of the Philippines shall have the power to suspend such member under investigation and designate a temporary member in his place.

Vacancies in the Board shall be filled for the period of the unexpired term only.

**Section 5. *Powers and duties of the Board.*** The Board is vested with authority to issue, suspend and revoke licenses of contractors, to investigate such violations of this Act and the regulations thereunder as may come to its knowledge and, for this purpose, issue subpoena and subpoena duces tecum to secure appearance of witnesses in connection with the charges presented to the Board, and to discharge such other powers and duties affecting the construction industry in the Philippines.

The Board may, with the approval of the President of the Philippines, issue such rules and regulations as may be deemed necessary to carry out the provisions of this Act, to adopt a code of ethics for contractors and to have an official seal to authenticate its official documents.

**Section 6. *Board meetings.*** The Board shall meet as frequently as is necessary to perform its duties, but it shall meet at least once a month. It may be convoked by the Chairman or upon written request of the two other members.

**Section 7. *Compensation.*** For every meeting attended, the Chairman of the board shall receive a per diem of fifty pesos, while the members thereof shall receive a per diem of twenty-five pesos each: *Provided*, That in no case will the total amount received by each of them exceed the sum of four hundred pesos for any one month.

**Section 8. *Annual report.*** The Board shall, at the end of each fiscal year, submit to the President of the Philippines and the Congress a detailed report of its activities and proceedings during the period covered by the fiscal year ended.

**ARTICLE II  
Application of the Act**

**Section 9. *Definition of terms.*** As used in this Act:

(a) "Persons" include an individual, firm, partnership, corporation, association or other organization, or any combination of any thereof.

(b) "Contractor" is deemed synonymous with the term "builder" and, hence, any person who undertakes or offers to undertake or purports to have the capacity to undertake or submits a bid to, or does himself or by or through others, construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, railroad, excavation or other structure, project, development or improvement, or to do any part thereof, including the erection of scaffolding or other structures or works in connection therewith. The term contractor includes subcontractor and specialty contractor.

(c) A "general engineering contractor" is a person whose principal contracting business is in connection with fixed works requiring specialized engineering knowledge and skill, including the following divisions or subjects: irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, docks and wharves, shipyards and ports, dams, hydroelectric projects, levees, river control and reclamation works, railroads, highways, streets and roads, tunnels, airports and airways, waste reduction plants, bridges, overpasses, underpasses and other similar works, pipelines and other system for the transmission of petroleum and other liquid or gaseous substances, land leveling and earth moving projects, excavating, grading, trenching, paving and surfacing work.

(d) A "general building contractor" is a person whose principal contracting business is in connection with any structure built, being built, or to be built, for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind, requiring in its construction the use of more than two unrelated building trades or crafts, or to do or superintend the whole or any part thereof. Such structure includes sewers and sewerage disposal plants and systems, parks, playgrounds and other recreational works, refineries, chemical plants, and similar industrial plants requiring specialized engineering knowledge and skill, powerhouse, power plants and other utility plants and installations mines and metallurgical plants, cement and concrete works in connection with the abovementioned fixed works.

A person who merely furnishes materials or supplies under section eleven without fabricating them into, or consuming them in the performance of the work of the general building contractor does not necessarily fall within this definition.

(e) A "specialty contractor" is a person whose operations pertain to the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.

**Section 10. *Public personnel.*** This Act shall not apply to an authorized representative of the Republic of the Philippines or any incorporated town, city, province, or other municipal or political corporation or subdivision of the Republic of the Philippines.

**Section 11. *Finished products.*** This Act shall not apply to any sale or installation of any finished products, materials or articles or merchandise, which are not actually fabricated into and do not become a permanent and fixed part of the structure.

**Section 12. *Personal property.*** This Act shall not apply to any construction, alteration, improvement or repair of personal property.

**Section 13. *Minor work.*** This Act shall not apply to any work or operation on one undertaking or project by one or more contracts, with an aggregate contract price of less than ten thousand pesos for the labor, materials and all other items.

This exemption, however, shall not apply in any case wherein the work or construction is only part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made in contracts of amounts less than ten thousand pesos for the purpose of evading or otherwise violating the provisions of this Act.

**Section 14. *Architects and engineers.*** This Act shall not apply to a registered civil engineer or a licensed architect acting solely in his professional capacity.

**Section 15. *Material men.*** This Act shall not apply to any person who only furnishes materials or supplies without fabricating them into, or consuming them in the performance of, the work of the contractor.

### **ARTICLE III Classifications**

**Section 16. *Classification.*** For the purpose of classification, the contracting business includes any or all of the following branches.

- (a) General engineering contracting;
- (b) General building contracting; and
- (c) Specialty contracting.

**Section 17. *Power to classify and limit operations.*** The Board may adopt reasonably necessary rules and regulations to effect the classification of contractors in a manner consistent with established usage and procedure as found in the construction business, and may limit the field and scope of the operations of a licensed contractor to those in which he is classified to engage, as respectively defined in section nine. A licensee may make application for classification and be thus classified in more than one classification if the licensee meets the qualifications prescribed by the Board for such additional classification or classifications. No additional application or license fee shall be charged for qualifying or classifying a licensee in additional classifications.

**Section 18. *Incidental work.*** Nothing in this Act shall prohibit a specialty contractor from taking and executing a contract involving the use of two or more crafts or trades, if the performance of the work in such crafts or trades, other than in which he is licensed, is only incidental or supplemental to the performance of work in the said craft or trade for which he is licensed.

### **ARTICLE IV Licensing**

**Section 19. *Examinations required.*** In accordance with the rules and regulations promulgated by it, the Board may investigate, classify and qualify applicants for contractors' licenses by written or oral examination, or both.

**Section 20. *Qualifications of applicants for contractors' licenses.*** The Board shall require an applicant to show at least two years of experience in the construction industry, and knowledge of the building, safety, health and lien laws of the Republic of the Philippines and the rudimentary administrative principles of the contracting business as the Board deems necessary for the safety of the contracting business of the public.

For the purpose of this section, a partnership, corporation, or any other organization may qualify through its responsible managing officer appearing personally before the Board who shall prove that he is a bona fide responsible officer of such firm and that he exercises or is in a position to exercise authority over the contracting business of his principal or employer in the following manner: (1) to make technical and administrative decisions; and, (2) to hire, superintend, promote, transfer, lay off, discipline or discharge employees.

**Section 21. *Notice of disassociation required.*** If the individual who has qualified under the preceding section ceases for any reason whatsoever to be connected with the licensee under this Act, or if any individual who has been denied a license, or whose license had been revoked or suspended, or has filed to secure the restoration of his license if it has been suspended, or has been a responsible managing officer or employee of any partnership, corporation, firm or association whose application for a license has been denied, revoked, or suspended, or who has failed to secure the restoration of its license if it has been suspended, shall in anyway become associated with or be employed by a licensee, the licensee shall notify the Board in writing ten days from such cessation, association or employment. Such notice may entitle the license concerned to remain in force within reasonable period as determined by the rules prescribed by the Board.

**Section 22. *Failure to notify in case of disassociation.*** If the licensee fails to notify the Board within the ten-day period in accordance with the preceding section, his license shall be ipso facto suspended. Such license



may be restored, however, upon the filing of an affidavit, executed by the licensee or the duly authorized responsible managing officer of the licensee firm, with the Board, to the effect that the person originally appearing for examination on behalf of the licensee has been replaced by another individual, that this individual has been qualified by examination, that he can comply with the provision of this section and that he has not had his license suspended or revoked or that he has not been connected with a licensee whose license has been suspended or revoke due to the lack of a good character required of an applicant for a license.

**Section 23. Issuance of licenses.** Upon the payment of the corresponding fee and the filing of the application, and after examination and investigation as may be required, the Board within fifteen days after the approval of the application shall issue a license to the applicant permitting him to engage in business as a contractor under the terms of this Act for the remaining part of the fiscal year.

**Section 24. Death.** A surviving member or members of a licensed partnership by reason of death shall be entitled to continue in business under such license until the expiration date thereof, if an application for permission is made to the registrar within thirty days after the death of the deceased member, and approved by the Board.

**Section 25. No examination required.** Contractors actively engaged in the construction industry at the effectivity of this Act and licensed as such for the last five years, may upon application, be issued license without necessity of examination.

## **ARTICLE V Records**

**Section 26. Publication of list.** The Board shall publish, at least once a year in a newspaper of general circulation, a list of the names and addresses of contractors, registered under this Act and of the licenses issued, suspend or revoked, and such further information with respect to this Act and its administration that it deems proper.

Copies of such lists may also be furnished by the Board upon request to any firm or individual upon payment of a reasonable fee as fixed by the Board.

**Section 27. Changes.** All licenses shall report to the Board all changes of personnel, name, style or addresses recorded under this Act within thirty days after the changes are made.

## **ARTICLE VI Disciplinary Action**

**Section 28. Causes for disciplinary action.** The following shall constitute causes for disciplinary action:

- (a) Willful and deliberate abandonment without lawful and/or just excuse of any construction project or operation engaged in or undertaken by the licensee as a contractor;
- (b) Willful material and substantial departure from or disregard of plans and/or specifications in any material respect, and prejudicial to another without consent of the owner or the person entitled to have the particular construction project or operation completed in accordance with such plans and/or specifications or their duly authorized representations;
- (c) Willful misrepresentation of a material and substantial fact by an applicant in obtaining a license;
- (d) Aiding or abetting an unlicensed person to evade the provisions of this Act, or knowingly combining or conspiring with an unlicensed person, or allowing one's license to be used by an unlicensed person, or acting as agent or partner, or associate, or otherwise of an unlicensed person with the intent to evade the provisions of this Act.
- (e) Failure to comply the provisions of this Act;

(f) The doing of any willful or fraudulent act by the licensee as a consequence of which another is injured or damaged; and

(g) The participation by a licensee in the performance by any partnership, corporation, firm, or association of which he is a responsible managing partner, employee or officer, of any act or omission constituting a cause for disciplinary action under this Act.

## **ARTICLE VII**

### **Disciplinary Proceedings**

**Section 29. *Jurisdiction.*** The Board shall, upon its own motion or upon the verified complaint in writing of any person, investigate the action of any contractor and may suspend or revoke any license if the holder thereof has been guilty of or has committed any one or more of the acts or omission constituting causes for disciplinary action.

**Section 30. *Prescription.*** All accusations or charges against licensees shall be filed within one year after the act or omission alleged as the ground therefor, except that with respect to an accusation alleging a violation of subsection (c) of section twenty-eight the accusation may be filed within two years after the discovery by the Board of the alleged facts constituting the fraud or misrepresentation.

**Section 31. *Restoration or renewal of licenses.*** After suspension of the license upon any of the grounds set forth in this Act, the Board may lift such suspension upon proof of compliance by the contractor with the requirements and conditions set forth by the Board.

After revocation of a license upon any of the grounds set forth in this Act, it shall be renewed or reissued within a period of one year after the final decision of revocation upon proper showing that all losses caused by the act or omission for which the license was revoked have been fully satisfied and that all conditions imposed by the decision of revocation have been complied with.

**Section 32. *Jurisdiction.*** The lapsing or suspension of a license by operation of law, by order or decision of the Board or other competent authority, or the voluntary surrender of a license shall not deprive the Board of jurisdiction to proceed with any investigation of or action or disciplinary proceedings against such license, or to render a decision suspending or revoking it.

## **ARTICLE VIII**

### **Enforcement and Penalties**

**Section 33. *Enforcement by officers of the law.*** It shall be the duty of all duly constituted law enforcement officers of the national, provincial, city and municipal government or any political subdivisions thereof, to enforce the provisions of this Act and report to the Board any violation of the same.

**Section 34. *Enforcement by the Board.*** Should any contractor not licensed by the Board engage on attempt to engage in the business of contracting, the Board shall have the right to institute the proper action in court and secure a writ of injunction without bond, restraining the said contractor.

**Section 35. *Penalties.*** Any contractor who, for a price, commission, fee or wage, submits or attempts to submit a bid to construct, or contracts to or undertakes to construct, or assumes charge in a supervisory capacity of a construction work within the purview of this Act, without first securing a license to engage in the business of contracting in this country; or who shall present or file the license certificate of another, give false evidence of any kind to the Board, or any member thereof in obtaining a certificate or license, impersonate another, or use an expired or revoked certificate, or license, shall be deemed guilty of misdemeanor, and shall, upon conviction, be sentenced to pay a fine of not less than five hundred pesos but not more than five thousand pesos.

## **ARTICLE IX**

### **Miscellaneous Provisions**

**Section 36. *License required in biddings.*** All architects and engineers preparing plans and specifications for work to be contracted in the Philippines shall include in their invitation to bidders and in their specifications a copy of this Act, or such portions thereof as are deemed necessary to convey to the invited bidder, whether

he is a resident of the Philippines or not, the information that it will be necessary for him to have a license before his bid is considered.

**Section 37. *Individual License.*** It is unlawful for any person who is a responsible managing partner, officer or employee of a licensed partnership, corporation, firm, association or other organization to individually engage in the constructing business of individually act in the capacity of a contractor within this jurisdiction without having a license in good standing to so engage or act.

**Section 38. *Joint licenses.*** It is unlawful for any two or more licensees, each of whom has been issued a license to engage separately in the capacity of a contractor, to jointly submit a bid or otherwise act in the capacity of a contractor without first having secured an additional license for acting in the capacity of such a joint venture or combination in accordance with the provisions of this Act as provided for an individual, partnership or corporation.

## **ARTICLE X**

### **Fees**

**Section 39. *Fee.*** The amount of fees prescribed by this Act shall be as follows:

- (a) Fifty pesos for an original license;
- (b) Sixty pesos for examination of an applicant;
- (c) Fifty pesos for an annual renewal.

## **ARTICLE XI**

### **Renewal of Licenses**

**Section 40. *Renewal.*** A license may be renewed by the filing of a renewal application with the registrar not later than June thirtieth of each fiscal year, accompanied by the annual renewal fee. A license renewed thereafter shall be subject to an additional fee of Twenty Pesos.

**Section 41. *Non-renewal of licenses.*** No license which has been under suspension for more than a year immediately preceding the filing of an application for renewal shall be renewed.

## **ARTICLE XII**

### **Special Provisions**

**Section 42. *Separability Clause.*** If any provisions of this Act is held unconstitutional, the other provisions shall not be affected thereby.

**Section 43. *Repeal.*** All Acts or parts of Acts inconsistent with this Act are hereby repealed.

**Section 44. *Effectivity.*** This Act shall take effect upon its approval.

Approved: June 19, 1965



**CIAP BOARD RESOLUTION NO. 13**  
**Series of 2017**

**REITERATING TO THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH)  
THE STRICT IMPLEMENTATION OF SECTION 304 NO. 5, ITEMS F AND G OF THE REVISED  
IMPLEMENTING RULES AND REGULATIONS (IRR) OF THE NATIONAL BUILDING CODE OF  
THE PHILIPPINES (P.D. 1096) AND THE NATIONAL BUILDING CODE DEVELOPMENT OFFICE  
(NBCDO) MEMORANDUM CIRCULAR NO. 04, SERIES OF 2007 DIRECTING ALL BUILDING  
OFFICIALS TO IMMEDIATELY AND STRICTLY IMPLEMENT THEREOF**

**WHEREAS**, under the Revised Implementing Rules and Regulations (IRR) of the National Building Code (P.D. 1096) the following provisions, among others, provide that:

Section 304 (Issuance of Building Permits) No. 5 (Terms and Conditions):

*"Xxx f. When the construction is undertaken by contract, the work shall be done by a duly licensed and registered contractor pursuant to the provisions of the Contractor's License Law (R.A. 4566).*

*g. The Owner/Permittee shall submit a duly accomplished prescribed "Notice of Construction" to the Office of the Building Official prior to any construction activity.xxx"*

**WHEREAS**, the prescribed "Notice of Construction" form indicates the name/s of the contractor, its PCAB license number, and classifications to be submitted by the project owner to the Building Official (BO) prior to commencement of the project. The BO will then transmit a copy of the said Notice to the CIAP for verification and confirmation of its contractor's license. A copy of the Notice shall also be furnished the Department of Labor and Employment (DOLE).

**WHEREAS**, the submission to CIAP for verification is one of the ways identified to achieve the law's objective of promoting public safety in building construction by ensuring that only duly LICENSED contractors are allowed to undertake construction;

**WHEREAS**, however, despite the existence of the above laws, in several Construction Industry Authority of the Philippines (CIAP) Board meetings, reports on the growing number of unlicensed contractors undertaking construction of projects issued building permits particularly the countryside, in violation of R.A. 4566, the Contractor's License Law cropped up;

**WHEREAS**, the CIAP Board in its 49th Regular Meeting held on 04 April 2006, passed Resolution No. 6, Series of 2006 requesting the DPWH to institute strictly the measures to ensure the implementation of the above provisions by BOs nationwide:

**WHEREAS**, since the revised IRR have been in force and effect on 02 May 2005, CIAP had received limited number of "Notice of Construction" and it all came from selected areas such as Ormoc, Romblon, Antipolo, Makati, and Paranaque, among others up to 2007; In 2008, CIAP has not received any Notice of Construction for verification.

**WHEREAS**, in the CIAP 70th Regular Meeting held on 22 September 2015, the Board discussed the Executive Summary Accident Investigation Report conducted by the Department of Labor and Employment (DOLE) involving Hoclimco Construction Corporation, a firm which has undertaken the construction of a warehouse wall in Bulacan without a Philippine Contractors Accreditation Board (PCAB) license which resulted to the death of twelve (12) and serious injuries of three (3) workers.

**WHEREAS**, the Board noted the continuous increase of these kind of incidents, thus, recognized the need to reiterate the strict implementation of RA 4566 or the Contractor's Licensing Law, which, in conjunction with other laws/rules/regulations, require a PCAB license prior to undertaking construction activities, as follows:

1. The above quoted Section 304, Subsection 5, Items (f) and (g) of the Revised Implementing Rules and Regulations of the National Building Code of the Philippines (PD 1096) provisions; and
2. The National Building Code Development Office (NBCDO) Memorandum Circular No. 04, Series of 2007 issued on 13 April 2007 directing all Building Officials to immediately and strictly implement the provisions under Section 304, Subsection 5, Items (f) and (g) of the Revised Implementing Rules and Regulations of the National Building Code of the Philippines (PD 1096). The said Memo Circular requires the submission to CIAP of the "Notice of Construction" for verification of the licenses of contractors, subcontractors, and/or specialty contractors listed in the Notice.

**NOW, THEREFORE**, in consideration of the foregoing and to ensure the effective implementation of the said provisions of the revised IRR of P.D. 1096, (The National Building Code), the Construction Industry Authority of the Philippines, in its CIAP Board 74<sup>th</sup> Regular Meeting held on 27 March 2017, **RESOLVES**, as it is **HEREBY RESOLVED**, reiterating to the Department of Public Works and Highways the strict implementation or the following Laws and measure:

- a) Strictly implement Sec. 304 No. 5, items f & g of the Revised IRR of PD 1096 and NBCDO) Memorandum Circular No. 04, Series of 2007 directing the immediate and strict implementation thereof; and
- b) Monitoring mechanisms such as the submission by the Building Officials to the Secretary of Public Works and Highways, copy furnished CIAP, of periodic reports on the number of building permits issued and the number of Notices of Construction received and verified with the CIAP.

**UNANIMOUSLY APPROVED.**  
27 March 2017

**FOR THE CIAP BOARD**

**ATTY. RUTH B. CASTELO**  
**Undersecretary for CIAP**  
(Representing DTI Secretary and  
CIAP Chairman Ramon M. Lopez)

**Attested by:**

**MA. ESTRELLA C. GODIA**  
Acting Board Secretary

Republic of the Philippines)  
City of Makati )ss.

Subscribed and sworn to before me, this \_\_\_\_ day of \_\_\_\_\_ affiant Atty. Ruth B. Castelo of the Construction Industry Authority of the Philippines exhibiting his DTI ID No. 05-248 issued on \_\_\_\_\_.

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