



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

'JUL 05 2023

DEPARTMENT ORDER)
NO. 75)
Series of 2023)
A 7/7/23

**SUBJECT: Creation of the DPWH Alternative
Dispute Resolution (DAD-R)
Committee**

In order to attain the government policy of updating, harmonizing and improving the Philippine legal framework to strengthen the use of Alternative Dispute Resolution (ADR), this Department, in adherence to the mandatory requirements enumerated under Republic Act (RA) No. 9285¹, its Implementing Rules and Regulations (IRR)², Executive Order Nos. 78³ and 97⁴, both series of 2012, and Presidential Decree No. 242⁵ as amended, hereby creates the DPWH Alternative Dispute Resolution (DAD-R) Committee.

The Committee shall be composed of the following:

Chairperson : Undersecretary for Legal Service
Vice-Chairperson : Assistant Secretary for Legal Service
Members : Director, Legal Service (LS)
: Director, Human Resource and Administrative Service (HRAS)
: Director, Stakeholders Relations Service (SRS)
: Director, Procurement Service (PrS)
: Director, Finance Service (FS)
: Director, Public-Private Partnership Service (PPP)
: President of the Employees Union (EU)

The primary functions of the DAD-R Committee shall include the following:

1. Create, craft, and submit ADR Department-wide Programs in accordance with the specific mandate of the Department, for the approval of the Secretary;
2. Creation of an ADR System;
3. Creation of ADR Procedures;

¹ Republic Act No. 9285. April 2, 2004. "An Act to Institutionalize the Use of an Alternative Dispute Resolution System in the Philippines and to Establish the Office for Alternative Dispute Resolution, and for Other Purposes" otherwise known as the "Alternative Dispute Resolution Act of 2004."

² Department of Justice (DOJ) Department Circular No. 98 (s.2009). "Implementing Rules and Regulations of the Alternative Dispute Resolution Act of 2004".

³ Executive Order (EO) No. 78, s. 2012. "Mandating the Inclusion of Provisions on the Use of Alternative Dispute Resolution Mechanisms in all Contracts Involving Public-Private Partnership Projects, Build-Operate and Transfer Projects, Joint Venture Agreements between the Government and Private Entities and those Entered into by Local Government Units."

⁴ Executive Order (EO) No. 97, s. 2012. "Revoking Executive Order No. 523 (s. 2006) and Conferring upon the Office for Alternative Dispute Resolution the Management, Development, Coordination, and Oversight of Alternative Dispute Resolution Programs in the Executive Department, and for Other Purposes."

⁵ Presidential Decree No. 242. "Prescribing the Procedure for Administrative Settlement or Adjudication of Disputes, Claims and Controversies between or among Government Offices, Agencies and Instrumentalities, Including Government-Owned or Controlled Corporations, and for Other Purposes."

**Creation of the DPWH Alternative
Dispute Resolution (DAD-R)**

Committee

Page 2 of 2

4. To recommend and submit guidelines, policies and/or issuances for the approval of the Secretary;
5. To harmonize and/or recommend the harmonization of the ADR Programs, Policies, and/or Guidelines in accordance with existing DPWH Policies, Guidelines, and/or Issuances;
6. To propose the improvement of ADR Programs and Policies;
7. Manage, develop, coordinate, and oversight of the established ADR Programs;
8. Monitor, in accordance with EO No. 97, series of 2012, the mandatory annual submission of periodic reports to the DOJ-Office of Alternative Dispute Resolution (OADR);
9. Coordinate with the OADR for the institutionalization of the DPWH ADR System to assist the Committee in its functions;
10. Create a Technical Working Group (TWG) that specializes in each ADR System to assist the Committee in its functions;
11. Convene, from time to time, in order to serve the purpose of this DO; and
12. Such other functions as may be deemed necessary or incidental in the implementation of the said laws, orders, or issuances.

This Order shall take effect immediately.


MANUEL M. BONOAN
Secretary

3.6 JDB/MIV/ASGL

Department of Public Works and Highways
Office of the Secretary



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