



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF PUBLIC WORKS, TRANSPORTATION AND COMMUNICATIONS  
OFFICE OF THE SECRETARY  
~~XXXXXXXXXX~~  
Quezon City

February 2, 1978

DEPARTMENT ORDER)          SUBJECT: Safety of Personnel  
                                   )                      and Third Parties,  
                                   )                      Prevention of Accident  
NO. 10                        )                      Responsibilities.  
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In order to prevent accidents and insure the safety and convenience of personnel and third parties and to pin point responsibility and liability on any complaint and/or claim arising therefrom, as well as to awaken the contractor's consciousness of his obligations relative thereto, it is hereby ordered that the provisions quoted hereunder be incorporated and made an integral part of all construction contracts, (under general conditions of contract) effective immediately.

"The Contractor shall be solely answerable for the safety, protection and security of his personnel, third parties, the public at large, the works, equipment, installation and the like, and for the convenience of the travelling public in general, as well as the owners, persons or occupants of adjacent buildings or structures affected or to be affected by reason of his construction works. He shall see to it that the least inconvenience, unavoidable in nature, due to the on-going construction work is caused to third parties or the public. Accordingly, the contractor shall comply faithfully with any and all pertinent laws, decrees, regulations and ordinances and take all necessary safeguards with the end of preventing the occurrence of accident, loss or damage of any kind and/or the existence of any kind of hazard during the performance of the contract work until acceptance of the project. He shall provide, erect and maintain all necessary barricades, suitable and sufficient warning lights, effective danger signals and other signs, and shall take all the precautions necessary for the protection of the

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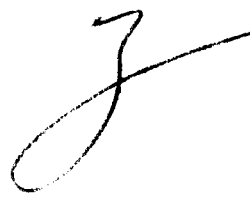
works and the safety of personnel and the public, in accordance with the standards set by the Safety Organization of the Philippines, Inc. (SOPI) and the Bureau of Labor Standards.

Roads closed to traffic shall be protected by effective barricades and obstructions shall be properly illuminated at night. Detours shall be provided with detour signs conspicuous to the motorists and the public. Excavations, diggings and manholes shall be covered and substituted with pedestrian footpaths made of precast concrete planks and/or bailey bridges, free of spoils or obstruction of any kind and likewise illuminated at night in accordance with existing pertinent ordinances and other regulations.

For this purpose, the Contractor shall under his name and at his own expense obtain and maintain the following insurance coverage:

- a) Comprehensive insurance for third party liability due to contractor's direct or indirect act or omission causing damage to third person or persons.
- b) Employer's Liability and Workmen's Compensation for all the contractor's employees. The Contractor may choose to be self-insured if prior approval of the Bureau of Labor is secured; and
- c) Fire, earthquake, flood and such perils as the contractor may deem necessary for the construction plants, temporary works and materials to be used.

If the Contractor shall fail to effect and keep in force the insurances referred to herein or any other insurance which he may be required to effect under the terms of the contract, the Bureau or agency (owner) may effect and keep in force any such insurance and pay such premium or premiums as may be necessary for the purpose and from time to time deduct the amount to be paid by the Government from any monies due or which may become due to the contractor.

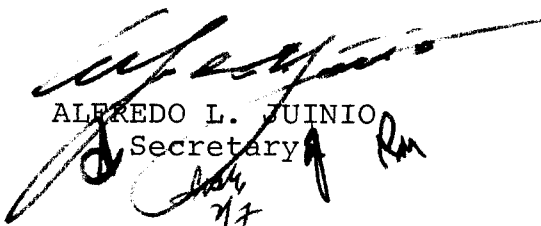


In addition, the Contractor shall cooperate with the Government on all matters pertaining to prevention of accidents. In this regard, the Contractor shall fully acquaint himself with all regulations and instructions which the Government may, from time to time, issue during the performance of the contract and shall closely coordinate with the Safety Inspector or related personnel of the government in order to develop an effective safety program to promote safe practices and procedure in the construction of works.

In the event the Contractor fails to observe the above safeguards, the Government may, at the contractor's expense, take whatever measure is deemed necessary for its protection, the Contractor's personnel and third parties, and/or order the interruption of dangerous works.

Moreover, the government shall at its own discretion blacklist the guilty contractor to be banned perpetually or for a certain period of time from entering into contract with any government office or agency and order the immediate rescission or termination of the contract, as the case maybe. In no case shall the exercise by the Government of the prerogatives referred to above diminish the Contractor's responsibility thereunder."

Strict compliance herewith is enjoined.

  
ALFREDO L. JUINIO  
Secretary

8. SAFETY AND CONVENIENCE OF PERSONNEL AND THIRD PARTIES- PREVENTION OF ACCIDENTS- RESPONSIBILITY-PENALTIES.

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