

**[DPWH DEPARTMENT ORDER NO. 26, S. 2011,
May 03, 2011]**

**POLICY ON DIGGINGS/EXCAVATIONS BY PRIVATE AND PUBLIC
UTILITIES ON NATIONAL ROADS**

It has been observed that the conduct of public utility agencies, companies or corporations, whether public or private (the "Utility Agency"), in undertaking excavations and/or haphazard restoration works on our national roads have caused their deplorable and dangerous condition. More often than not, the restoration/reconstruction takes place several months later, making the monitoring and commuting public suffer inconveniences.

To ensure that future undertakings on road excavations and its restoration and/or reconstruction works are done properly, the following guidelines are hereby issued for the guidance of everyone concerned:

1. All applications for the issuance of Excavation Permit on National Roads (Annex "A"*) shall be processed only upon submission/compliance by the Utility Agency or its agent or contractor (collectively, the "Applicant"), of the following:
 - a. Sketch Plan/Map showing the exact location of the project, including the name of the road section, type of underground or aerial facility/structure to be installed, and other relative appurtenances;
 - b. Programs of work (POWs) with corresponding detailed estimates for the cost of excavations, including the cost of restoration, shall be submitted by the Utility Agency, to be approved by the DPWH;
 - c. Timetable of the proposed work in the form of Bar/Gantt Chart or PERT-CPM Chart showing the duration of excavation and restoration work activities;
 - d. Typical Section and Specifications, type and total area of pavement to be excavated, type and extent of work to be undertaken, and name and address of contractor (if by contract);
 - e. Accomplished Terms and Conditions signed by the duly authorized representative of the Applicant;
 - f. Posting of a surety in the form of a Performance Bond, callable on demand, equivalent to 100% of the full restoration/reconstruction cost of the

affected areas, taking into consideration the type and class of pavement structure;

- g. Payment of a non-refundable amount to cover the Engineering and Administrative Overhead (the "Supervision Fee") of issuing office since said undertaking is not considered in the programmed budget allocation of the issuing office. The Supervision Fee shall be computed as follows:

Cost of Restoration Supervision Fee

Below P50,000.00	3% of the cost of restoration
P50,000.00 and above	1.5% of the cost restoration

- h. Upon receipt of the application and determining that complete requirements have been complied with, the DPWH shall notify the applicant of the schedule of joint field inspection by the Regional and District Representatives together with the contractor, to determine the extent and actual location of the proposed work.

2. Road sections affected by an excavation shall be temporarily paved or patched with bituminous concrete surface course until it can be fully restored to its original condition. Final restoration works shall commence immediately once the utilities installed are made operational, i.e., for water pipes, after it has passed hydro testing (pipe leakage test). Such work shall be done by the utility contractor under the close supervision of DPWH's authorized representatives.
3. The digging or excavation for the construction and/or installation of public utility facilities shall be done in harmony with the guidelines on tree planting along national roads, to avoid any overlap.
4. In the event that there will be a road expansion or improvement to be introduced in the national road which will affect existing utility facilities or structures located thereon, such utility facilities or structures shall be removed and/or relocated and the cost for its relocation and removal shall be borne by the Utility Agency concerned. In this case, DPWH waives the payment of all fees, including deposits and bonds with respect to the relocation and removal.
5. All requests for excavation permits, regardless of amount, will be processed by the concerned District Engineering Office who shall, in