



## MEDIATION AGREEMENT

CIAC-F-SVD-004a || Rev. 0 || 19/11/2018

*Use this form if there is only ONE respondent.*

This Agreement is made on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between:

\_\_\_\_\_  
 (hereinafter called the Claimant)

and

\_\_\_\_\_  
 (hereinafter called the Respondent)

and

\_\_\_\_\_  
 (hereinafter called the Mediator)

WHEREAS, the Parties hereby agree to settle their dispute/s described below by Mediation:

- |  |   |
|--|---|
| <input type="checkbox"/> Delays/Liquidated damages   | <input type="checkbox"/> Release of retention         |
| <input type="checkbox"/> Payment default             | <input type="checkbox"/> Breach of contract documents |
| <input type="checkbox"/> Violation of specifications | <input type="checkbox"/> Others (please specify)      |
| <input type="checkbox"/> Change Orders               | _____   |
| <input type="checkbox"/> Rectification costs         | _____   |

(herein called the Dispute)

WHEREAS, the Parties have further agreed on the appointment of a Mediator as their common choice, or as appointed by CIAC upon their failure to agree to assist them to resolve their dispute/s.

WHEREAS, the Mediator so chosen has accepted his/her appointment;

NOW THEREFORE, the Parties hereby agree, as they have agreed as follows:

- (a) The Mediation shall be conducted and governed by the CIAC Rules of Mediation.
- (b) The Parties shall personally attend or be represented by persons with full authority to settle the Dispute.
- (c) The Parties agree to abide by any compromise settlement agreed upon and comply in good faith with terms thereon. The Parties further agree to convert said compromise agreement into an arbitration award enforceable as such in accordance with the CAIC Arbitration Rules upon breach thereon.
- (d) The Mediator shall not be liable for any act or omission done in good faith for the purpose of assisting the Parties to resolve their Dispute.
- (e) Either of the parties may terminate the mediation process at any time after consultation with the Mediator. The Mediator may terminate the mediation at any time after consultation with the Parties.
- (f) Should the mediation fail, the parties agree to submit the case for arbitration under the auspices of the CIAC in accordance with the Arbitration Rules.



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In witness hereof, we hereby affix our names and signatures on the spaces provided below, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at Makati City.

**Parties:**

\_\_\_\_\_  
 (Signature over Printed Name)

\_\_\_\_\_  
 (Signature over Printed Name)

\_\_\_\_\_  
 (Position)

\_\_\_\_\_  
 (Position)

\_\_\_\_\_  
 (Representing)

\_\_\_\_\_  
 (Representing)

**Witnesses:**

\_\_\_\_\_  
 (Signature over Printed Name)

\_\_\_\_\_  
 (Signature over Printed Name)

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

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

**Mediator:**

\_\_\_\_\_  
 (Signature over Printed Name)

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