Bid Form

Date: _____

Port Manager
Port Management Office - Mindoro
Philippine Ports Authority
Port Area, San Antonio
Calapan City, Oriental Mindoro

Attention : Disposal and Awards Committee

Dear Sir:

Having examined the Bidding Documents including Bid Bulletin Number ____, if any, the receipt of which is hereby duly acknowledged, I, _____, duly authorized to sign bid for and in behalf of _____, offer the amount for disposal of PMO Mindoro unserviceable properties (excess materials) in conformity with the said Bidding Documents for the sum of _____ _____ _____ PESOS (P _____).

Our Bid shall be valid for a period of 180 calendar days from the date fixed for the Bid submission deadline in accordance with the Bidding Documents, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

We certify/confirm that we comply with the eligibility requirements of the Bidding Documents.

Very truly yours,

Name : _____

In the capacity of : _____

Signed : _____

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PHILIPPINE PORTS AUTHORITY

TERMS OF REFERENCE

SALE/DISPOSAL OF ONE (1) LOT UNSERVICEABLE PROPERTIES LOCATED AT PPA-PMO MINDORO-TMO ABRA DE ILOG

This Terms of Reference (TOR) describes the procedures that will be followed in connection with the Sale/Disposal of One (1) lot Unserviceable Properties Located at PPA PMO MINDORO-TMO Abra de Ilog.

PPA PMO Mindoro reserves the right to amend or supplement this TOR at any time prior to the submission of the final proposals. The Disposal and Award Committee of PPA PMO Mindoro (DAC for brevity) shall administer this TOR. Any decision and/or action taken by the DAC is subject to the approval of the Port Manager, PMO-Mindoro.

I. BACKGROUND AND OBJECTIVE

There is a need to dispose of the unserviceable assets listed below to avoid further deterioration as well as to generate greater benefits to the government in terms of higher appraisal value and better management of limited port space. The DAC shall facilitate the disposition in accordance with PPA Memorandum Order No. 01-2019.

II. SCOPE OF PUBLIC AUCTION

LOT	DESCRIPTION	MINIMUM FLOOR PRICE (Inclusive of 12% VAT)
1	1 lot Generator Set, Suzuki Bravo Multicab, hand-held radios and executive chairs	P45,475.00

III. GENERAL INFORMATION

1. **Applicable Laws**. All laws governing the operation and implementation of this TOR will be the applicable laws and other issuances of the Government of the Republic of the Philippines relative to the disposition of assets.

2. **Publication of Invitation to Bid**. PPA PMO-Mindoro shall publish in conspicuous public places and in the PPA Website an invitation to prospective bidders to participate in the Public Bidding.

3. **Amendments to TOR**. The information and/or procedures contained in this TOR may be amended or replaced at any time, at the DAC's discretion, without giving prior notice or providing any reason. Should any of the information and/or procedures contained in this TOR be amended or replaced, the DAC shall inform all prospective bidders of such amendments or replacements through the issuance of appropriate bid bulletins. To ensure that all prospective bidders are informed of any amendments, all shall be requested to inform PPA-

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PMO Mindoro of their official contact person as well as contact number and address.

4. **Correspondence with the DAC**. As appropriate, all correspondences pertaining hereto shall be addressed to:

The Chairperson, Disposal and Award Committee, PPA PMO Mindoro
Sale/Disposal of One (1) lot Unserviceable Properties Located at PPA PMO MINDORO-TMO ABRA DE ILOG
San Antonio, Calapan City
Oriental Mindoro

IV. TERMS AND CONDITIONS

1. The sale is an "**AS-IS-WHERE-IS, CLEAN UP, ALL MUST GO**" basis.

2. A bidder may submit one (1) bid for the lot. Submission of more than one bid for the lot may be considered a ground for disqualification for the submitted bids.

3. It is understood that participating bidders have seen and inspected the subject unserviceable properties located at the Port of Abra de Ilog, Sitio Matabang, Brgy. Lumangbayan, Abra de Ilog, Occidental Mindoro.

4. The bid price shall be inclusive of the 12% value added tax (VAT).

5. The bid shall be accompanied by a bidder's bond in the form of Cash in the amount equivalent to 10% of the minimum floor price (inclusive of 12% VAT) which shall be paid to the Cashier, PPA PMO Mindoro, as guarantee that the successful bidder shall, within fifteen (15) calendar days from full payment of the bid price, withdraw the goods from its present location.

6. Upon determination of the awardee, the bid bond shall be paid in full in the form of Cash within seven (7) calendar days from the date of the receipt of Notice of Award.

7. Should the winning bidder fail to pay the full amount of the bid price within fifteen (15) calendar days from the receipt of the Notice of Award, the same shall be deemed cancelled and rendered ineffective and the 10% bond deposit be forfeited in favor of the PPA PMO Mindoro (Authority).

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8. No transfer or Deed of Assignment of the Award shall be honoured by the Authority. Awardee or his authorized representative is required to personally pay and withdraw the awarded item(s).
9. Withdrawal of the awarded item(s) shall be made only during the official working hours from 8 A.M. to 5 P.M., Monday to Friday.

10. The awardee shall pay, in addition to the purchase price, any taxes, custom duties, cost or charges of any kind or nature whatsoever levied in connection with the sale of the property. All expenses incidental to the withdrawal of the property shall be borne by the awardee.

V. PROCEDURES AND REQUIREMENTS

1. General Flow and Schedule of Activities
   - 1.1. Posting of Notice of Public Auction of Unserviceable Property;
   - 1.2. Ocular Inspection of Unserviceable Properties at PPA PMO Mindoro-TMO Abra de Ilog by the Prospective Bidders;
   - 1.3. Availability of Bid Form;
   - 1.4. Submission of Sealed Bids;
   - 1.5. Opening of Bids;
   - 1.7. Issuance of Notice of Award to the winning bidder;
   - 1.8. Full payment of the bid amount by the winning bidder;
   - 1.9. Withdrawal of awarded properties;
   - 1.10. Issuance of Certificate of Completion;
   - 1.11. Return of bid bonds by the bidders

2. Detailed Procedures and Requirements

2.1. **Issuance of TOR**. The prospective bidder shall secure a copy of the TOR of Sale/Disposal of One (1) lot Unserviceable Properties Located at PPA PMO Mindoro-TMO Abra de Ilog. The TOR is also available for download thru PPA Website at ppa.com.ph.

2.2. **Ocular Inspection**. Prospective bidders will be given the chance to inspect the described properties at Port of Abra de Ilog, Sitio Matabang, Brgy. Lumangbayan, Abra de Ilog, Occidental Mindoro on a set schedule.

2.3. **Valuation**. The minimum/floor bid price of the entire lot of the Sale/Disposal of One (1) lot Unserviceable Properties Located at PPA PMO Mindoro-TMO Abra de Ilog is Pesos: Forty-Five Thousand, Four Hundred Seventy-Five (P45,475.00) inclusive of 12% VAT.

2.5. **Submission of Bids**. Sealed bids addressed to The Chairperson, PMO Mindoro Disposal and Award Committee shall be submitted at PPA PMO Mindoro Admin Building, San Antonio, Calapan City, Or. Mindoro on the scheduled

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date. The sealed envelopes must be properly labelled and shall contain the accomplished Financial Bid Form and Bid Bond and shall be opened at the PMO Mindoro Conference Room on the scheduled date. Bid envelopes that are not properly sealed and marked, as required in the TOR. shall not be rejected but the bidder or its authorized representative shall acknowledge such condition of the bid as submitted. The DAC shall assume no responsibility for the misplacements of the contents of the improperly sealed or marked bid, or for its premature opening. Bids shall be prepared using the prescribed Financial Bid Form provided and in strict compliance with the requirements of the following instructions:

- Erasures/modifications shall be avoided or shall be duly signed by the bidders;

- The bid shall be accompanied by a Bid Bond in the form of Cash, in the amount equivalent to at least 10% of the minimum floor price (inclusive of 12% VAT), as a guarantee that the successful bidder, within fifteen (15) calendar days from full payment, shall withdraw the goods from its present location. **The winning bidder shall be responsible for all the costs that may be incurred incidental to the withdrawal of the goods. They shall withdraw all the items covered in the auction and clear the site within 15 calendar days from full payment, otherwise storage fee shall be charged in accordance with the existing rules and regulations of the PPA**.

A bidder may be allowed to withdraw his tender before the scheduled opening of bids, and his envelope shall be returned sealed. After the opening of bids, no bidder shall be allowed to withdraw his bid. No bids shall be accepted after the deadline. Late bids shall be automatically disqualified. Bidders shall submit their Bid in a single package consisting of two (2) separate envelopes specifically marked "Eligibility and Technical Component (First Envelope)" and "Financial Proposal" (Second Envelope)".

First Envelope shall contain:

1. The Terms of Reference and the Instructions to Bidders as initialed by the bidder in all pages. Non-compliance is a ground for disqualification;

2. An AFFIDAVIT OF UNDERTAKING signed by the bidder/s/representative/s of the bidder/s in the form attached hereto as "**Annex A**" stating that the bidder has conducted an ocular inspection of the One (1) lot Unserviceable Properties Located at PPA PMO Mindoro-TMO Abra de Ilog and has considered all pertinent documents relative thereto and has been accorded full and reasonable information thereon as to enable the bidder to submit a responsible bid;

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3. Copy of all bid bulletins issued by the DAC, if any;

4. Photocopy of BIR Certificate of Registration (BIR Form 2303) and photocopy of a blank Official Receipt/Sales Invoice of the bidder. The Original copies must also be presented to the DAC, if required so;

5. Current & Valid Mayor's/Business Permit;

6. Bid bond in the form of Cash in an amount not less than Pesos:Four Thousand Five Hundred Forty-Seven and 50/100, which represents 10% of the minimum floor price;

7. **In case of disqualification**, the Bid Bond shall be immediately returned to the disqualified bidder together with the First and Second Envelopes. Said bidder shall sign the acknowledgement receipt for the returned money and envelopes in favor of the Authority;

8. Non-compliance in any of the provisions from 1-6 shall be ground for disqualification.

Second Envelope shall contain:

1. Bid Form

2.6. **Opening of Bids**. All bidders shall be invited to the bidding proper. Bids will be opened in the presence of the bidders/bidders' representatives who choose to attend the Bid Opening at the PPA PMO Mindoro Conference Room, PPA Admin Building, San Antonio, Calapan City, Oriental Mindoro at the scheduled time. The DAC shall conduct the opening of bids. All bids below the Minimum Bid/Floor Price set shall be disqualified. Incomplete submission shall be grounds for disqualification. **In case there are no bids received or only one bid was received**, the bid will be deemed disqualified, the DAC shall declare a failure of bidding and shall conduct a second bidding. In case of another failure of bidding, the DAC shall have the option to enter into a negotiated sale for One (1) lot Unserviceable Properties Located at PPA PMO Mindoro-TMO Abra de Ilog. Actual participants in the failed bidding activities shall be given priority in the negotiation such that non-participating parties may be allowed to negotiate only after irreconcilable disagreements have been reached with the actual bidders.

2.7. **Declaration of Winning Bid Price, Winning Bidder, and Second Highest Bidder**. The bid price determined by the DAC as the highest bid price shall be declared the "Winning Bid Price" and the bidder who submitted the Winning Bid Price shall be declared as the "Winning Bidder". The bidder who

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submitted the second-highest bid price shall be declared as the "Second Highest Bidder". Should there be two or more bidders who submitted the same bid price, the DAC shall break the tie through toss coin.

2.8. **Notice of Award**. Within three (3) calendar days after the declaration of the Winning Bidder, the DAC shall recommend the issuance of a Notice of Award to the Winning Bidder. Within three (3) working days after said recommendation of the Winning Bidder, the Port Manager, PMO Mindoro shall issue a Notice of Award to the Winning Bidder.

2.9. **Payment of the Winning Bid Price**. Within seven (7) calendar days from the receipt of the Notice of Award, the Winning Bidder shall pay the Winning Bid Price in the form of Cash to the Cashier, PMO Mindoro or to the Cashier TMO-Abra de Ilog whichever is nearer.

2.10. **Bid Bond**. In case the declared Winning Bidder fails to pay the Winning Bid Price in full amount on the scheduled date, the Bid Bond shall be **automatically forfeited** without need of further action of any nature. Upon the recommendation of the Chairperson Disposal and Award Committee and the approval of the Port Manager PMO Mindoro, the Second Highest Bidder may be declared as the new Winning Bidder and the Second Highest Bid Price will be the new Winning Bid Price provided that they are compliant with all the requirements. The process may continue until a new Winning Bidder has paid in full the corresponding bid price unless the DAC declares otherwise. **Bid bond of both the winning and non-winning bidders shall only be returned after the completion of the withdrawal of the awarded properties by the Winning Bidder from the location**.

VI. QUALIFICATIONS

The PPA PMO Mindoro is looking for an interested Buyer or Bidder who could bid in "**AS-IS-WHERE-IS, CLEAN UP, ALL MUST GO**" basis with the qualifications as follows:

1. Must be BIR Registered;

2. Must have valid Mayor's Permit/Business Permit;

VII. WAIVERS

The DAC reserves the right to reject any or all bids or to waive any defect, informality, or minor deviations thereon, which will not affect the substance and validity of any or all of the bids without any liability to any party for any action or decision taken by virtue of this reservation.

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VIII. OTHER RESPONSIBILITY OF SUCCESSFUL BIDDER

Materials and other facilities required for the undertakings as well as incidental expenses shall be borne by the successful bidder.

Prepared By:

MARCELINA D. ROLDAN
Admin Manager

Approved By:

ELVIS R. MEDALLA
Port Manager

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"ANNEX A"

REPUBLIC OF THE PHILIPPINES)
CITY OF) S.S.

AFFIDAVIT OF UNDERTAKING

I, _____, of legal age, Filipino citizen, with business address at _____, after having been duly sworn in accordance with law herein depose and say:

That, I am the _____(designation/position) of _____ (company);

That, I am duly authorized to execute this Affidavit and to attest to the truth of the statements herein deposed;

That, in connection with the public bidding for the sale/disposition of One (1) lot Unserviceable Properties Located at PPA PMO Mindoro-TMO Abra de Ilog, it is hereby attested that:

a. I/My authorized representative undertook ocular inspection of the One (1) lot Unserviceable Properties Located at PPA PMO Mindoro-TMO Abra de Ilog on the following dates _____;

b. All pertinent documents concerning said One (1) lot Unserviceable Properties Located at PPA PMO Mindoro-TMO Abra de Ilog have been examined by me/my authorized representative/s to my full satisfaction;

c. All other information necessary to submit a responsive bid have been furnished to me by PMO Mindoro to my full satisfaction.

That, this Affidavit is being submitted to attest to the truth of the foregoing and for such other lawful purpose/s, it may serve.

That, further I say no more.

AFFIANT

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 2024 at _____, the Affiant exhibiting his/her Community Tax Certificate No. _____ issued on _____at _____.

Doc. No. _____
Page No. _____
Book No. _____
Series of 2024

NOTARY PUBLIC

Philippine Ports Authority
Port Management Office - Mindoro

TIMELINE FOR DISPOSAL OF UNSERVICEABLE PROPERTIES RECOVERED FROM PORT OF ABRA DE ILOG

Activities	Date
I. Bid Docs Preparation	April 29 - May 6, 2024
II. Posting Ocular inspection of interested bidder	May 7 - 11, 2024
III. Submission of Bids	May 13, 2024 | 1:00 PM
IV. Opening of Bids	May 13, 2024 | 2:00 PM
V. Preparation of Resolution for Award	May 15, 2024
VI. Notice of Award	May 20, 2024
Payment of Bid upon receipt of NOA	within 7 days
Pull out of materials after payment	within 15 days
VII. Issuance of Certificate of Completion	within 3 working days after final pull out
VIII Processing of Refund of Bond	upon presentation of original O.R.

Approved by:

ELVIS R. MEDALLA
Port Manager