PHILIPPINE PORTS AUTHORITY
Port Management Office of Davao
Km 10, Port Area, Sasa, Davao City

BIDDING DOCUMENTS FOR THE

DISPOSAL BY SALE, ON "AS IS, WHERE IS" BASIS, OF ONE (1) LOT CONSISTING OF THREE (3) UNITS RUBBER TYRED GANTRY (RTG) CRANES AND ONE (1) UNIT REACH STACKER LOCATED AT BACK-UP AREA OF PORT OF DAVAO (SASA) KM 10, DAVAO CITY

FEBRUARY 2024

SECTION I

INVITATION TO BID

BAGONG PILIPINAS

PHILIPPINE PORTS AUTHORITY

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DISPOSAL BY SALE, ON "AS IS, WHERE IS" BASIS, OF ONE (1) LOT CONSISTING OF THREE (3) UNITS RUBBER TYRED GANTRY (RTG) CRANES AND ONE (1) UNIT REACH STACKER LOCATED AT BACK-UP AREA OF PORT OF DAVAO (SASA), KM 10, DAVAO CITY

The **Philippine Ports Authority, Port Management Office of Davao**, through its Property Disposal Committee, hereby invites interested bidders to participate in the public auction of the **Disposal By Sale of Three (3) Units Rubber Tyred Gantry (RTG) Cranes and One (1) Unit Reach Stacker at Port Area, Km. 10, Sasa, Davao City**, as indicated below:

Qty.	Unit	Description	Minimum Floor Price (Inclusive of 12% VAT)
1	lot	3 units – Rubber Tyred Gantry (RTG) Cranes 1 unit – Reach Stacker	**11,124,720.00**

Bids received lower than the minimum bid price for the lot shall be automatically rejected at bid opening.

This public bidding/auction shall be conducted pursuant to DBM National Budget Circular No. 425 dated 28 January 1992, in so far as it conforms and harmonizes with pertinent COA issuances and R.A. 9184.

Interested bidders/auctioneers shall submit a Letter of Intent (LOI) addressed to Chairperson of the Disposal Committee from 05 to 13 February 2024 along with pertinent requirements thru the Secretariat, such as but not limited to the following:

1. Current Business Permit;
2. Registration certificate from SEC, Department of Trade and Industry (DTI) for sole proprietorship, or CDA for cooperatives; and
3. Certificate of site Inspection duly signed by the Administrative Division Manager

The description of an eligible bidder/auctioneer is contained in the Bidding Documents.

The bidding will be conducted through open competitive bidding procedure using a non-discretionary "pass/fail" criterion as specified in the Bidding Documents.

Interested bidders/auctioneers may obtain further information from the Philippine Ports Authority, Port Management Office of Davao Disposal Committee and inspect the bidding documents at the address given below during office hours from 8:00 A.M. to 5:00 P.M.

A complete set of Bidding Documents may be obtained by interested Bidders/Auctioneers on **05 February 2024** from 8:00 A.M. to 5:00 P.M. until **15 February 2024** from 8:00 a.m. to 9:00 A.M. at the address given below upon payment of a non-refundable fee for the Bidding Documents in the amount of **Twenty-Five Thousand Pesos (Php25,000.00)** for the lot.

The Philippine Ports Authority, Port Management Office of Davao Disposal Committee will hold a Pre-Auction Conference on **13 February 2024; 9:00 A.M**. at PPA-PMO Davao Training Center, 3rd Floor Administrative Building, Km. 10, Port Area, Sasa, Davao City, which shall be open to prospective bidders.

Bids must be duly received by the Disposal Committee Secretariat of Philippine Ports Authority, Port Management Office of Davao Disposal Committee before **9:00 A.M. on 15 February 2024**. All Bids must be accompanied by a bid security in the form of cash as stated in the Bidding Document. Late bids shall not be accepted.

Bid opening shall be on **15 February 2024, at 9:30 A.M**. at PPA-PMO Davao Training Center, 3rd Floor Administrative Building, Km. 10, Port Area, Sasa, Davao City.

Bids will be opened in the presence of the bidder's/auctioneer's representatives who choose to attend at the address below.

The Philippine Ports Authority, Port Management Office of Davao Disposal Committee reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award.

For further information, please refer to:

ENGR. LARA SIMONE L. ABA
Head – Secretariat, Disposal Committee
PPA-PMO Davao Training Center, 3rd Floor Administrative Building
Km. 10, Port Area, Sasa, Davao City
Tel No. 2352564; local 225
Website: www.ppa.com.ph

(original signed)
ANALEE G. AGUILA
Chairperson, Disposal Committee

SECTION II

1. INTRODUCTION

1.1 The Philippine Ports Authority, Management Office of Davao Disposal Committee, hereinafter referred to as PPA, PMO Davao Disposal Committee will receive a duly sealed bids for the negotiated sale of unserviceable properties, scrap and waste materials, as described in Section III of the Bidding Documents on basis.

1.2 This Section provides instructions to bidders for the Public Auction. The PPA, PMO Davao Disposal Committee may issue special instruction to bidders and may require additional documents from the bidders.

2. COST OF BID

2.1. The Bidder/Auctioneer shall bear all costs in the preparation and delivery of their bids and the PPA, PMO Davao Disposal Committee shall in no case be responsible or liable for such costs, regardless of the outcome of the bidding process.

3. BID DOCUMENTS

3.1 A Complete set of Bid Documents shall include:

3.1.1. Section I - Invitation to Bid for the Disposal By Sale, on "As Is, Where Is" Basis, of One (1) Lot Consisting of Three (3) Units Rubber Tyred Gantry (RTG) Cranes and One (1) Unit Reach Stacker Located at the Back-up Area of Port of Davao (Sasa), Km. 10, Davao City with Various Debris and Waste Materials;

3.1.2. Section II - Instruction to Bidders (IB) and Terms and Conditions of Sale;

3.1.3. Section III – Description/List of Items for sale for the one (1) lot;

3.1.4. Section IV – Prescribed Bidding Forms, including Price Quotation Forms;

3.1.5. Amendment and/or Addendum on the original bid documents, if any.

3.1.6. Special Instructions, if any.

4. TIME AND PLACE FOR RECEIPT OF THE BIDS

4.1. Sealed bids will be received by the Disposal Committee Secretariat of PPA, PMO Davao Disposal Committee before **9:00 A.M., 15 February 2024** at PPA-PMO Davao Training Center, 3rd Floor Administrative Building, Km. 10, Port Area, Sasa, Davao City, observing subsequent amendment/addendum issued, if any, pertinent thereto at which time all bids shall be opened and read publicly.

Submission of bids after the designated time and date shall no longer be accepted.

4.2. The bid proposal shall include copies of the Letter of Intent (LOI) and other documents mentioned in the Clause 5.2 of this Section which have been duly received by the Secretariat before the deadline of 13 February 2024.

5. ELIGIBLE BIDDER

5.1. The following persons shall be eligible to participate in this bidding:

a. Duly licensed Filipino citizens/sole proprietorships;
b. Partnerships duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the interest belongs to citizen of the Philippines;
c. Corporations duly organized under the law of the Philippines of which at least sixty percent (60%) of the outstanding capital stock belongs to citizens of the Philippines;
d. Cooperatives duly organized under the laws of the Philippines.

5.2. Interested bidders/auctioneers shall submit a Letter of Intent (LOI) addressed to Chairperson of the Disposal Committee along with pertinent requirements thru the Secretariat, such as but not limited to the following:

a. Current Business Permit;
b. Registration certificate from SEC, Department of Trade and Industry (DTI) for sole proprietorship, or CDA for cooperatives; and
c. Certificate of site Inspection duly signed by the Administrative Division Manager

6. BIDS TO BE CONSIDERED

6.1. Only bid tender which confirm compliance with the requirements set forth in this public bidding as determined by the Property Disposal Committee during the opening/evaluation of bids, shall be eligible for the opening of its bid proposal or buying priced by using the prescribed form. Bids from parties who have not been issued the Bid Documents will be rejected outright.

6.2. No bids shall be accepted from parties who are disqualified from participating in public bidding or in any kind of contract with the Government of the Republic of the Philippines.

6.3. Parties/companies with pending cases and outstanding obligations with PPA, PMO Davao Disposal Committee shall be excluded from the bidding.

6.4. Bids submitted without Bid Security, or bids submitted with materially defective or otherwise unacceptable Bid Security will be automatically rejected and returned to the bidder.

7. SUBJECT OF BID

7.1. Bids shall be for the sale of the Philippine Ports Authority property consisting of **unserviceable properties, scrap and waste materials including the hauling and disposal of any debris located at the Back-up Area of Port of Davao (Sasa), Km. 10, Davao City** as one (1) lot, as specified below:

Lot No.	Qty./ Unit	Item Description	Minimum Floor Price (Inclusive of 12% VAT)
1	1	3 units – Rubber Tyred Gantry (RTG) Cranes 1 unit – Reach Stacker	**11,124,720.00**

7.2. The above mentioned properties shall be sold on **"AS IS, WHERE IS, CLEAN-UP, ALL MUST GO"** basis. All cost of demolition/hauling shall be borne by the winning bidder.

8. BIDDING INFORMATION

8.1. No government official and employee shall directly or indirectly give, nor shall any prospective or intending bidders be entitled to, any information regarding the bidding or on the prospective bidders, other than what is contained in the Bid Documents, or disclosed in the pre-bid conference and in the official announcement of bid results.

9. PRE-AUCTION CONFERENCE

9.1. The Pre-Auction Conference shall be held on **13 February 2024, at 9:00 A.M**. at **PPA-PMO Davao Training Center, 3rd Floor Administrative Building, Km. 10, Port Area, Sasa, Davao City**, which shall be open to all prospective bidders.

10. PREPARATION OF BIDS

10.1. Bidders/Auctioneer or its authorized representative/s may inspect the above-mentioned properties before submitting their sealed bids to the Property Disposal Committee at PMO Davao Back-up Area on 05 to 13 February 2024 form 8:00 A.M. to 5:00 P.M.

10.2. Bidders/Auctioneers shall prepare their bids using the forms specified in this Bidding Documents. The sealed envelope which shall contain the following bid documents:

i) Duly signed Instruction to Bidders
ii) Price Quotation Form (PQF); and
iii) Bid Security in the form of Cash, Cashier's Check or Manager's Check
iv) Copy of the Letter of Intent and other documents stated in Clause 5.2 of this Section.

Each bidder/auctioneer shall submit **one (1) original and two (2) copies** of the bid proposal. In case of discrepancy among the copies, the original shall govern.

10.3. The sealed envelopes should be securely sealed in one (1) single envelope and marked as follows:

TO: **ANALEE G. AGUILA**
Chairperson, Disposal Committee
PPA-PMO Davao Training Center, 3rd Floor Administrative Building, Km. 10, Port Area, Sasa, Davao City

FROM: <NAME OF BIDDER>
<ADDRESS OF BIDDER>

RE: **Disposal By Sale, on "As Is, where Is" Basis, of One (1) Lot Consisting of Three (3) Units Rubber Tyred Gantry (RTG) Cranes and One (1) Unit Reach Stacker Located at the Back-up Area of Port of Davao (Sasa), Km. 10, Davao City**

10.3. The Bid Price must be offered per lot with lot cost in the prize quotation form. A bidder/auctioneer can bid per lot as described on Section 7 hereof.

11. BID CURRENCY

11.1 In all bids, prices shall be expressed in written words and figures in Philippine Currency. In case of discrepancies between prices in words and figures, the prices in words shall be considered as the bid price.

12. VALIDITY OF THE PROPOSAL

12.1. A bid will be deemed valid for a period of **one hundred twenty (120) calendar days** from the date of bid opening, which shall be stated in the Price Quotation Form (PQF). A bid with a shorter validity period shall not be considered.

12.2. The PPA, PMO Davao Disposal Committee may, after the expiration of the validity period of a bid, solicit the bidder's consent for an extension of said validity. The response shall be made in writing or fax or e-mail.

13. ADDENDA TO SPECIFICATIONS

13.1 PPA, PMO Davao Disposal Committee shall reserve the right to amend, revise or modify the Bid Documents prior to the date of opening of bids. Such amendments, revisions, modifications, or clarifications, if any, will be made through an Addendum/Addenda, any copies will be furnished to all prospective bidders.

13.2. In consideration of its best interest, PPA, PMO Davao Disposal Committee may postpone the opening of bids to a later date. In any such case, the addendum to be issued will include an announcement of the new date for opening of bids. The same shall be posted at the PPA, PMO Davao bulletin board and at the PPA Website.

13.3. Bidders/Auctioneers are required to acknowledge receipt of all addenda to the Bid Documents in the space provided on the Letter of Transmittal or by e-mail prior to the opening of bids.

13.4. Failure to acknowledge all addenda may cause the bid to be considered as not responsive to the Invitation to Bid (IB), which could result in the rejection of bid.

14. BIDDER'S EXCEPTIONS

14.1. It is the desire of the PPA, PMO Davao Disposal Committee to eliminate or minimize as much as possible post bidding discussions of bidder's clarifications, deviations or exceptions. Therefore, any bidder who desires to make any clarifications, deviations or exceptions on some provisions of the Bid Documents shall communicate in writing, such clarifications, deviations or exceptions during the pre-bid conference giving the reasons therefore.

15. BID SECURITY

15.1. Each bidder shall submit a Bid Security in the amount of not less than ten(10%) percent of the **proposed bid/buying price** in the form of **cash, manager's check, or cashier's check.**

15.2. A bid submitted without the required Bid Security or with a Bid Security in an amount less than the required amount shall be rejected and will be returned to the bidder.

15.3. The Bid Security of the winning bidder shall be subject to forfeiture in the event the winning bidder fails or refuses to secure, sign or acknowledge the Notice of Award/Contract, within seven (7) calendar days after receipt of written advice.

15.4. The Bid Security of the winning bidder shall be considered as partial payment and the difference between such payment and the offered bid price shall be paid in the form of cash, cashier's check or manager's check of a reputable bank within the area where the bidding was held.

15.5. The Bid Security of the losing bidder shall be immediately returned after the winning bidder acknowledge the Notice of Award issued by the PPA.

16. SUBMISSION AND OPENING OF BIDS

16.1. Bidders/Auctioneers or their **authorized representatives** shall deliver by hand their bid at the date, time and place as set out in Clause 4 of this Section. After the time set for bid opening, the PPA, PMO Davao Disposal Committee will open and read the bids in the presence of the bidders or their authorized representatives.

16.2. Offers not submitted by the bidder's/auctioneer's **authorized representatives** or received after the time set for bid opening will not be accepted.

17. DEFECTIVE BIDS

17.1. At the time of opening of bids, a bid shall be considered defective in any of the following cases:

(a) not properly filled-up form (e.g. unsigned bids);
(b) not accompanied or guaranteed by a Bid Security;
(c) with insufficient Bid Security;
(d) with a validity period less than that required; or
(e) lacking in any of the documents required in clause 10.

18. WITHDRAWAL OF BIDS

18.1. A bidder/auctioneer may be allowed to withdraw his Bid before the time of opening of bids. Such bid shall be returned unopened.

18.2. After the opening of bids has commenced, no bidder shall be allowed to withdraw his offer.

19. RESERVATION CLAUSE

19.1 The PPA, PMO Davao Disposal Committee reserves the right to reject any or all bids and to waive any formality found therein and to accept such bids as maybe considered most advantageous to its interest, without any obligation on the part of the PPA, PMO Davao Disposal Committee to explain the reasons thereof.

20. ACCEPTANCE OF THE BID

20.1. The Bidder/Auctioneer whose bid is the highest, responsive or complying bid of the per **lot basis** and which is most advantageous to the PPA, PMO Davao Disposal Committee shall be declared the Successful Bidder.

20.2. The Successful Bidders/Auctioneer must signify its consent to enter into a within seven (7) days from receipt of the written notice from the PPA, PMO Davao Disposal Committee.

21. FAILURE OF BIDDING

21.1. The PPA, PMO Davao Disposal Committee shall declare the bidding failure in any of the following cases:

a. There is no bidding participant;
b. **Only one (1) bidder/auctioneer submitted a Bid for each lot**;
c. All bidders failed to comply with the Terms and Conditions of Sale as prescribed in the Instruction to Bidders (IB);

d. Complying bidders failed to meet the minimum bid price.

22. AWARD OF CONTRACT

22.1. Award shall be made to the highest complying bidder.

22.2. Contract/Notice of Award (NOA) shall be issued to the success bidder after approval of the concerned approving authority.

22.3. No transfer and/or assignment of Award/Contract shall be allowed.

22.4. The Award shall be cancelled, rendered ineffective and the Bid Security forfeited in favor of the PPA, PMO Davao, if the winning bidder fails to secure, sign or acknowledge the Notice of Award/Contract, within **seven (7) calendar days** after receipt of written advice.

23. PAYMENT

23.1. The full amount covering the awarded items shall be paid in full by the awardee in the form of cash, cashier's check or manager's check payable to the PPA, PMO Davao, and/or combination thereof, within **five (5) working days** upon receipt/acknowledgement of the Notice of Award (NOA)/Contract.

23.2. No other form of payment shall be accepted.

23.3. In case of failure of full payment within the prescribed period, the awardee shall be penalized through cancellation of the award and forfeiture of the bond in favor of PPA, PMO Davao.

24. RELEASE/WITHDRAWAL OF AWARDED ITEMS

24.1. After payment of the awarded items, the awardee/s shall withdraw all the listed items stated in Annex "A" within the required period as stipulated in the Release Order (RO). Otherwise, the awardee shall pay the PPA, PMO Davao the corresponding storage fee equivalent to one-tenth of one (1%) percent of the price of the unwithdrawn items, or Php100.00/day of delay, whichever is higher but not to exceed ten (10%) percent of the total amount of the Award.

24.2. Once the cumulative amount of storage fee reaches ten (10%) percent of the total amount of Award, the PPA, PMO Davao may rescind/cancel the Award, forfeit the Bid Security, and impose the appropriate sanctions as penalty.

24.3. The actual release/withdrawal of awarded items shall be made within **ninety (90) days** from 8:00 A.M. - 5:00 P.M., Monday to Saturday, and shall be witnessed by the designated representatives of the PPA, PMO-Davao Disposal Committee (DC), Commission on Audit (COA) representative, Technical Inspector of PPA, PMO Davao, Security Officer from the PPA, PMO Davao and Supervising Supply Officer of PPA, PMO Davao, who shall affix their signatures on the "Release Order" (RO).

24.4. Selective withdrawal is not allowed. The awardee shall withdraw all the items within the awarded lot.

25. TAXES, CUSTOMS DUTIES, COST OR CHARGES

25.1. The awardee shall pay, in addition to the purchase price, any taxes, customs duties, costs of charges of any kind or nature whatsoever levied, or levied by law, arising from the sale of items.

25.2. All expenses incidental to the withdrawal of the items shall be borne by the awardee.

26. ACCEPTANCE OF BID AND WAIVER OF RIGHTS TO ENJOIN PROTEST

26.1. The bidder/auctioneer after having been issued the Bid Documents (BD), has deemed accepted the terms and specifications established by PPA, PMO Davao Disposal Committee and therefore waive any right it may have to seek and obtain a writ of injunction or prohibition or restraining order against PPA, PMO Davao, to prevent or restrain the bidding process or any proceedings related thereto, the negotiation or award of the contract to the successful bidder and the implementation of the awarded contract.

CONFORME:

Printed Name of Bidder/Business Name

_____

Printed Name and Signature of the Authorized Representative/Date Signed

_____

Complete Business Address

_____

Tax Identification No.

_____

Mobile No., Telephone No., Fax No.

_____

Email Address

_____

SECTION III

DESCRIPTION/LIST OF ITEMS FOR SALE

ANNEX "A"

Unserviceable Properties for Disposal

Item No.	Description	Quantity	Unit
1	3 units – Rubber Tyred Gantry (RTG) Cranes 1 unit – Reach Stacker	1	Lot

The winning bidder/auctioneer is responsible for all the cost of hauling and disposal of the unserviceable properties.

SECTION IV

PRESCRIBED BIDDING FORMS

PRICE QUOTATION FORM

_____
Date

ANALEE G. AGUILA
Chairperson, Disposal Committee
Philippine Ports Authority
Port Management Office of Davao

Sir/Madam:

In response to your Invitation to Bid (IB) and in accordance with the stipulations of the Instruction to Bidders (IB) and Terms and Conditions, which I duly signed and submitted as part of my eligibility documents, hereunder is my bid:

Item No.	Lot Description	Quantity	Unit	Unit Cost	Amount
1	3 units – Rubber Tyred Gantry (RTG) 1 unit – Reach Stacker	1	Lot		
	Bid Price in Words	_____ _____			

I have actually seen and inspected the above items and my bid is based on my own estimate. The above offer shall be valid for one hundred twenty (120) calendar days. Enclosed is the required Bid Security (BS) in the amount of Php_____which is equivalent of not less ten (10%) of the proposed bid/buying price inclusive of Value Added Tax.

Very truly yours,

_____
Printed Name of Bidder/Business Name

_____
Printed Name and Signature of the Authorized Representative/Date Signed

_____
Complete Business Address

_____
Tax Identification No.

_____
Mobile No., Telephone No., Fax No.

_____
Email Address