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

BIDDING DOCUMENTS FOR THE DISPOSAL BY SALE OF ONE (1) WAREHOUSE NO. 5 (COLD STORAGE) LOCATED AT PORT OF TEFASCO, BO. ILANG, DAVAO CITY

MAY 2022
Ref. No. Memorandum of the General Manager
dated 17 May 2022

SECTION I

INVITATION TO BID

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

INVITATION TO BID FOR THE

DISPOSAL BY SALE OF ONE (1) WAREHOUSE NO. 5 (COLD STORAGE)

ON **AS-IS WHERE-IS** BASIS

The Philippine Ports Authority, Port Management Office of Davao, hereby invites interested bidders to participate in the public auction of One (1) Lot of One (1) Warehouse No. 5 (Cold Storage) located at Port of TEFASCO, Bo. Ilang, Davao City, as indicated below:

Item	Description	Quantity	Unit	Appraised Value
1	Rib typed G.I. sheets roofing, metal	15,272.18	kgs.	167,993.98
2	Galvanized iron gutters & ridge roll, metal	1,397.75	kgs.	15,375.25
3	Galvanized iron louvers, metal	508.28	kgs.	5,591.08
4	Steel purlins, metal	27,885.63	kgs.	306,741.93
5	Steel trusses, rafter & fascia, metal	28,578.09	kgs.	314,358.99
6	Steel Cross Bracing, metal	1,605.28	kgs.	17,658.08
7	Electrical wires, bronze	36.49	kgs.	12,406.60
	Minimum Bid Price			840,125.91

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

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

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

Interested bidders 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 acquired by interested Bidders on **6 June 2022** from 8:00 a.m. to 5:00 p.m. until **17 June 2022** 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 **One Thousand Pesos (Php1,000.00)** for the lot.

The Philippine Ports Authority, Port Management Office of Davao Disposal Committee will hold a Pre-Bid Conference on **15 June 2022; 9:30 A.M**. at the **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 BAC Secretariat of Philippine Ports Authority, Port Management Office of Davao Disposal Committee before **9:00 A.M. on 17 June 2022**. 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 **17 June 2022, at 9:30 a.m**. at the **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 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. ASTERIO C. GALLARDO, JR.
Head – Secretariat, Disposal Committee
2nd Floor Conference Room, Administration Building of Philippine Ports Authority, Port Management Office of Davao, Km 10, Port Area, Sasa, Davao City
Tel No. 2352564; local 211
Website: www.ppa.com.ph

(SGD) 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 sale of one (1) warehouse no. 5 (cold storage) of various 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 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 of One (1) Warehouse No. 5 (Cold Storage) with Various Unserviceable Properties, Scrap 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 Form;

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 BAC Secretariat of PPA, PMO Davao Disposal Committee before **9:00 a.m.; 17 June 2022** 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.

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.

6. BIDS TO BE CONSIDERED

6.1. Only bids from parties and **their authorized representatives** who have been duly issued the Bid Documents shall be opened. 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 of **one (1) warehouse no. 5 (cold storage) of unserviceable properties, scrap and waste materials including the demolition, hauling and disposal of any debris** as one (1) Lot, as specified below:

Lot No.	Lot Description and Location	Minimum Bid Price
1	One (1) Warehouse No. 5 (Cold Storage) located at Port of TEFASCO, Bo. Ilang, Davao City	PhP 840,125.91

7.2. The above mentioned properties shall be sold on **"AS-IS, WHERE-IS, CLEAN-UP, ALL MUST GO"** basis.

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-BID CONFERENCE

9.1. The Pre-Bid Conference shall be held on **15 June 2022, at 9:30 A.M**. at the **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 shall prepare their bids using the forms specified in this Bidding Documents. The sealed envelope shall contain the Price Quotation and Bid Security. Each bidder shall submit **one (1) original and two (2) copies** of the bid proposal. In case of discrepancy among the copies, the original shall govern.

10.2. The sealed Bid Envelope shall contain the following bid documents:
i) Price Quotation Form (PQF); and
ii) Bid Security in the form of Cash, Cashier's Check or Manager's Check;

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
2nd Floor Conference Room, Administration Building of Philippine Ports Authority, Port Management Office of Davao, Km 10, Port Area, Sasa, Davao

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

RE: **DISPOSAL BY SALE OF ONE (1) WAREHOUSE NO. 5 (COLD STORAGE) located at Port of TEFASCO, Bo. Ilang, Davao City**

10.4. The Bid Price must be offered for one (1) lot with unit cost per item in the price quotation form. A bidder can bid only of the 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 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.

14. BID SECURITY

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

14.2. 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.

14.3. 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.

14.4. 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.

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

15. SUBMISSION AND OPENING OF BIDS

15.1. Bidders 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.

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

16. DEFECTIVE BIDS

16.1. 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
(h) lacking in any of the documents required in clause 10.

17. WITHDRAWAL OF BIDS

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

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

18. RESERVATION CLAUSE

18.1 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.

19. ACCEPTANCE OF THE BID

19.1. The Bidder 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.

19.2. The Successful Bidder/Bidders 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.

20. FAILURE OF BIDDING

20.1. 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 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.

21. AWARD OF CONTRACT

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

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

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

21.4. 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 **two (2) working days** after receipt of written advice.

22. PAYMENT

22.1. 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.

22.2. No other form of payment shall be accepted.

22.3. 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.

23. RELEASE/WITHDRAWAL OF AWARDED ITEMS

23.1. After payment of the awarded items, the awardee/s shall withdraw all the listed items stated in Annexes "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.

23.2. 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.

23.3. The actual release/withdrawal of awarded items shall be made within **forty five (45) working days** during regular office hours (8:00 a.m. - 5:00 p.m.), Monday thru Friday, 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).

23.4. In the event that actual weight/quantity of the awarded items turned out to be greater than that specified in the Notice of Award (NOA), the awardee shall pay the corresponding amount of the excess quantity based on his bid price.

23.5. In the event that the actual weight/quantity of the awarded item is less than that specified in the Notice of Award (NOA), no refund of payment shall be allowed.

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

24. TAXES, CUSTOMS DUTIES, COST OR CHARGES

24.1. 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.

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

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

25.1. The bidder 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"

One (1) Lot of Various Unserviceable Properties for Disposal

Item	Description	Quantity	Unit
1	Rib typed G.I. sheets roofing, metal	15,272.18	kgs.
2	Galvanized iron gutters & ridge roll, metal	1,397.75	kgs.
3	Galvanized iron louvers, metal	508.28	kgs.
4	Steel purlins, metal	27,885.63	kgs.
5	Steel trusses, rafter & fascia, metal	28,578.09	kgs.
6	Steel Cross Bracing, metal	1,605.28	kgs.
7	Electrical wires, bronze	36.49	kgs.

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.	**Description**	**Unit**	**Quantity**	**Unit Cost**	**Amount**
1	Rib typed G.I. sheets roofing, metal	kg.	75,247.21		
2	Galvanized iron gutters & ridge roll, metal				
3	Galvanized iron louvers, metal				
4	Steel purlins, metal				
5	Steel trusses, rafter & fascia, metal				
6	Steel Cross Bracing, metal				
7	Electrical wires, bronze	kg.	36.49		
	Total Bid Price in Figures and in Words	_____ (Words) Php _____ (Figures)			

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 total minimum bid 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

WITNESS:

CONTRACTOR:

WITNESS:

ASTERIO C. GALLARDO, JR.
ESD Manager

Philippine Ports Authority:

ANALEE G. AGUILA
Port Manager

REPUBLIC OF THE PHILIPPINES
PHILIPPINE PORTS AUTHORITY
PORT MANAGEMENT OFFICE - DAVAO
Km. 10, Port Area, Sasa, Davao City

Contract Agreement

Disposal By Sale of One (1) Warehouse No. 5 Located at Port of TEFASCO Bo. Ilang Davao City

THIS AGREEMENT made the _____ day of _____ 2022 between Philippine Ports Authority of the Philippines (hereinafter called "the Entity") with office address at Km. 10, Port Area, Sasa, Davao City of the one part and _____of _____ with office address at _____, Philippines (hereinafter called "the Supplier") of the other part:

WHEREAS the Entity invited Bids for certain disposal of property, viz.,

Disposal By Sale of One (1) Warehouse No. 5 Located at Port of TEFASCO, Bo. Ilang, Davao City and has accepted a Bid by the Supplier for the supply of services in the sum of _____ and ___/100, Philippine Currency (P_____) (hereinafter called "the Contract Price").

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.

2. The following documents shall be deemed to form and be read and construed as part of this Agreement, viz.:

   2.a PMO-Davao issued Price Quotation Form (PQF) duly filled-up and submitted by the Bidder;
   2.b Drawing and Technical Specifications;
   2.c Entity's Notification of Award; and
   2.d Other contract documents that may be required by existing laws and the PPA such as:
   2.d.1 Abstract of Bids

3. In consideration of the payments to be made by the Entity to the Supplier as hereinafter mentioned, the Supplier hereby covenants with the Entity to provide the services within **Forty-Five (45) Working Days** and to remedy defects therein in conformity in all respects with the provisions of the Contract.

4. The supplier shall be responsible to provide all items required in the Scope of Work and expenses for non-compliance therewith shall be born or shouldered by the same;

5. The Entity hereby covenants to assist the Contractor in consideration of the provision for the Sale of One (1) Warehouse no. 5 (Cold Storage) including the demolition and disposal of debris, the Contract Price under the provisions of the contract at the time and in the manner prescribed by the contract.

IN WITNESS WHEREOF, the Parties have hereunto signed this Contract on the date and place first herein above written.

PHILIPPINE PORTS AUTHORITY	**CONTRACTOR**
By:	By:
ANALEE G. AGUILA Port Manager	_____ Authorized Representative

W I T N E S S E S:

GEMMA G. CESAR Administrative Division Manager	_____ Contractor's Witness