



PHILIPPINE
PORTS
AUTHORITY



BAGONG PILIPINAS

INVITATION TO BID

The **Philippine Ports Authority (PPA)**, Port Management Office of **NCR South** is inviting interested buyers to offer by way of **sealed bids** for the **SALE AND DISPOSAL OF VARIOUS EQUIPMENT DECOMMISSIONED FROM THE MANILA INTERNATIONAL CONTAINER TERMINAL** on an **“AS-IS-WHERE”** basis:

Lot No.	PROPERTY DESCRIPTION		YEAR ACQUIRED	MINIMUM FLOOR PRICE (in Philippine Peso, exclusive of 12% VAT)
1	26	TRACTOR HEADS (Kalmar/Ottawa/Mafi)	2008, 2011, 2015	1,042,000.00
	2	TERMINAL TRAILER (Excellence/Stinis)	1996	
	16	TERMINAL TRAILER (Houcon)	2012	
2	19	FORKLIFT, 3 Tonner (Toyota)	1989	311,000.00
	1	FORKLIFT, 10 Tonner (TCM)	1994	
	1	REACH STACKER/ Empty Container Handler (Kalmar)	2008	
3	4	SPREADER (Mitsubishi)	1993-1996	73,000.00
	1	SWEEPER	2007	
4	3	PAYLOADER (Mustang/Caterpillar)	2008	50,000.00
	1	TOPLOADER (Kalmar)	1994	
TOTAL				1,476,000.00

The Bid Forms, Terms of Reference, and other related documents shall be issued thru the Disposal Committee Secretariat at the Supply and Property Unit, Ground Floor, PMO NCR-South Administration Bldg., South Harbor, Port Area, Manila, telephone number 8522-4009 or 8525-5264 local 516 upon presentation of proof of

payment of the non-refundable Bid Documents Fee in the amount of **Ten Thousand Pesos (PhP10,000.00)**.

Sealed bids shall be submitted manually not later than **May 2, 2024, Thursday, 9:00AM** at the PMO NCR-South Conference Room, 2/F, PMO NCR-South Administration Bldg., South Harbor, Port Area, Manila, and addressed to as follows:

Ms. CATHERINE R. ESTO
 Chairperson, PMO NCR-South Disposal Committee
 PMO-NCR South Administration Building, South Harbor, Port Area, Manila

Unsealed bids shall not be accepted. Bids submitted late shall be time-stamped and immediately returned to bidders unopened. Bids lower than the minimum bid price are deemed unresponsive and shall be automatically disqualified.

SCHEDULE OF ACTIVITIES

Activity	Date/Time	Venue
Advertisement/Posting of the Notice of Public Auction	April 11-30, 2024	PPA Website and Bulletin Boards at PMO NCR-South, PMO NCR-North and PPA Head Office.
Availability of Bid Documents	April 11-30, 2024	Supply and Property Unit, PMO NCR-South
Pre-Auction Conference	April 18, 2024 10:00AM	Conference Room, PMO NCS, 2F Admin. Bldg., Port Area, Manila
Inspection of Unserviceable Properties	April 22, 2024 9:00AM	MICT and Block 9, Lot 1, Slip 0, North Harbor, Tondo, Manila (<i>Former NENACO Area</i>)
Submission of Sealed Bids	May 2, 2024, not later than 9:00AM	Conference Room, PMO NCS, 2F Admin. Bldg., Port Area, Manila
Opening of Sealed Bids	May 2, 2024 10:00AM	Conference Room, PMO NCS, 2F Admin. Bldg., Port Area, Manila

Prospective Bidders are invited to attend the Pre-Auction Conference. The Opening of Bids may be witnessed by the duly authorized representative/s of the participating bidders.

The PPA reserves the right to reject any or all bids, waive any defect thereon, declare a failure of bidding at any time prior to the issuance of Notice of Award without thereby incurring any liability.



CATHERINE R. ESTO
 Port Manager, PMO NCR-South /
 Chairperson, PMO NCR-South Disposal Committee



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TERMS OF REFERENCE

SALE AND DISPOSAL OF VARIOUS EQUIPMENT DECOMMISSIONED FROM THE MANILA INTERNATIONAL CONTAINER TERMINAL ON AN “AS-IS-WHERE-IS” BASIS

1. BACKGROUND

The Port Management Office of NCR-South (PMO-NCS), in line with the property and asset management program of the Philippine Ports Authority (PPA), is conducting sale and disposal of various equipment decommissioned from the Manila International Container Terminal (MICT) through sealed public bidding on “as-is-where-is basis”.

The disposal of these unserviceable properties is covered by the Authority to Dispose (ATD) approved by the PPA General Manager on March 5, 2024. The Disposal Committee is pursuing the disposal of these various equipment per Disposal Committee Resolution Nos. 04-2023 and 02-2024 thru public auction pursuant to the ATD.

2. OBJECTIVE

The equipment, subject of the sale and disposal, have exceeded their economic value for their productive and optimum utilization to support the required productivity and port environment at MICT. These have been decommissioned as part of the re-fleeting plan of the International Container Terminal Services Inc. (ICTSI) in line with the Government’s economic and environmental sustainability goal pursuant to the United Nations Sustainable Development Goals.

PMO NCR South desires for the immediate sale and disposal of these unserviceable equipment to avoid the further deterioration and consequent depreciation in the value these properties that are currently stored at Block 1, Lot 9, Slip 0, MICT North Access Road (*formerly NENACO area*) and at MICT. Further, the clearing of the former NENACO area is being facilitated to pave the way for the implementation of the flagship 4PH Project of the National Government.

3. SCOPE OF PUBLIC AUCTION:

The public auction is for the sale and disposal of all equipment as listed in the Invitation to Bid and covered by the Inventory and Inspection Report of Unserviceable Property (IIRUP).

The sale shall include the following activities, attendant to the disposal:

- a. Mobilization of required equipment for the removal of the unserviceable properties from the current storage site (*former NENACO Area and MICT*)

- a. Mobilization of required equipment for the removal of the unserviceable properties from the current storage site (*former NENACO Area and MICT*)
- b. Hauling from the former NENACO area and MICT to disposal site, pre-determined by the buyer, including acquisition of necessary permits for the safe transfer thereto, and;
- c. Clearing, cleaning and other necessary acts to ensure removal of waste generated by the disposal activities from the temporary open storage.

4. GENERAL TERMS AND CONDITIONS:

4.1 Mode of Disposal

- 4.1.1 The mode of disposal is thru sealed Public Bidding for **ALL** decommissioned properties on "**AS-IS-WHERE-IS**" basis including all attendant activities for the actual disposal of the unserviceable properties.
- 4.1.2 The Buyer shall provide all necessary resources and organize all attendant activities for the removal and hauling of unserviceable properties from the former NENACO area and MICT within **thirty (30) calendar days** reckoned from the issuance of Order to Release and Notice to Proceed (NTP).
- 4.1.3 A Work Schedule, Methodology and Risk Assessment shall be prepared and submitted, and shall form as an integral part of the Bid that should include, but not limited to the following activities:
 - a. Compliance with permits and safety, health and environmental requirements of PPA, the identified disposal site, and other concerned government agencies;
 - b. Provision of equipment and deployment of manpower necessary for the disposal activities, and;
 - c. Clearing, cleaning and other necessary acts to ensure removal from the NENACO area and MICT of the waste generated by the disposal activities.

4.2 Minimum Requirements for Bidders

- 4.2.1 It is understood that Bidder have seen, inspected and assessed the subject properties on sale, located at the Block 1, Lot 9, Slip 0, MICT North Access Road (*formerly NENACO Area*) North Harbor, Port of Manila and MICT as indicated in the INVITATION TO BID (ITB),

4.2.2 Bidders must possess valid government registration/certification such as but not limited to:

- a. Valid Tax Clearance issued by the Bureau of Internal Revenue (BIR)
- b. Securities and Exchange Commission (SEC) with latest General Information Sheet showing at least sixty percent (60%) Filipino ownership or Department of Trade and Industry (DTI) registration.

The bidder's appointed supporting service provider, if any, must possess valid and appropriate Certificate of Accreditation from Philippine Ports Authority and Permit to Operate or Authority to Transact issued by PPA-PMO-NCR North and PMO NCR South and other permits required by other relevant government agencies.

4.2.3 Bidder must have the following minimum equipment and technical resources, whether owned or outsourced, committed for the implementation of disposal activities:

- a. One (1) unit Mobile Crane, 80-Tonner
- b. Two (2) units Low Bed trucks
- c. Three (3) units Flat bed truck
- d. Safety Officer with Occupational Safety and Health (OSH) Certification
- e. First-Aider/s with valid Philippine Red Cross Training Certificate/ID

4.2.4 Winning bidders of similar public bidding previously conducted by Philippine Ports Authority PMO-NCS who failed to fully comply with their performance obligations shall be automatically disqualified to participate in this Bidding.

5 PRE-AUCTION ACTIVITIES

5.1 Pre-Auction Conference (PAC)

5.1.1 The PAC shall be held at the venue, time and date indicated in the Invitation to Bid, to clarify and address the bidder's question on the legal, technical and financial components of the bid documents.

5.1.2 The bidders are encouraged to attend the PAC to ensure that they fully understand the requirements of the PPA. Non-attendance at the PAC shall not be a ground for disqualification of the bidder; however, the bidder is expected to know clarifications made on the bid documents discussed during the PAC.

5.1.3 A bidder's duly authorized representative attending the PAC must present appropriate written authorization to represent the Company in the PAC.

- 5.1.4 Any statements made at the PAC shall not affect the terms of the bid documents unless such statement is specifically identified in writing and issued as a Supplemental/Bid Bulletin.

5.2. Clarification and Correction of Bid Documents

- 5.2.1 The bidders who have purchased the bid documents may request for clarification(s) or interpretation on any part thereof. Such request must be in writing and submitted to the PMO Disposal Committee at least seven (7) calendar days before the deadline set for the submission and receipt of bids. The PMO Disposal Committee shall respond to the said request by issuing a Supplemental/Bid Bulletin, duly signed by the PMO Disposal Committee Chairperson, to be made available to all those who have properly secured the bid documents, at least three (3) calendar days before the deadline for the submission and receipt of bids.
- 5.2.2 Supplemental/Bid Bulletin may be issued upon the Disposal Committee's initiative for purposes of clarifying or correcting (e.g. clerical/typographical errors) any provision of the bid documents not later than three (3) calendar days before the deadline for the submission and receipt of bids. Any correction to the bid documents shall be properly identified.
- 5.2.3 Any Supplemental/Bid Bulletin issued by the PMO Disposal Committee shall be posted on the PPA website and in a conspicuous place in the premises of the Head Office, PMO-NCR South and PMO NCR-North. It shall be the responsibility of all interested Bidders to secure copy of Supplemental/Bid Bulletins that may be issued by the PMO Disposal Committee.
- 5.2.4 No request for clarification shall be entertained by any member of the PMO Disposal Committee outside of the PAC including written inquiries received beyond the prescribed period.

5.3 Inspection and Assessment of Properties on Sale

- 5.3.1 Photographs of properties to be auctioned shall be presented during the PAC.
- 5.3.2 **Physical inspection** of items to be auctioned shall be conducted at the venue, time and date indicated in the Invitation to Bid. Conduct of inspection shall be coordinated with the PMO-NCS representative, duly designated by the PMO Disposal Committee.
- 5.3.3 Participating bidders who opted not to conduct physical inspection shall submit the duly notarized waiver (Form L-6A) as part of the bid.

6 PREPARATION OF AUCTION TENDER

6.1 Sealing, Markings and Costing Considerations

- 6.1.1 The Tender/Bid shall be prepared on the Prescribed Bidding Forms and in strict compliance with the requirements as indicated in the TOR. Erasures/modifications, if any, must be countersigned by the bidder or its authorized signatory. Tenders not in accordance with the prescribed form or unsigned shall be considered invalid and automatically be disqualified.
- 6.1.2 Sealed Tenders/Bid shall be properly labeled/marked **<Title of Tender>** **<Name of Bidder>** and shall be addressed to the Chairperson, PMO NCR-South Disposal Committee, PMO NCR-South Administration Bldg., Port Area, South Harbor, Manila. Bid shall be tamper-proofed by having the signature of the bidder's authorized representative affixed in the seal.
- 6.1.3 **Three (3) copies of Bid Proposal** shall be submitted containing the sealed envelopes for the Legal, Technical Documents and Financial Documents and the Bid Offer in one (1) sealed and properly labelled envelope/packaging.
- 6.1.4 All Bid documents shall be book-bound with hard cover, chronologically paged and properly labelled with index tab. All pages of the Bid Proposal should be numbered **<Page ____ of ____>** and shall be duly signed by the bidder or his/her authorized representative at the right-side margin based on paper orientation. Failure to comply with any of these requirements shall be a ground for automatic rejection of the Bid.
- 6.1.5 The first envelope should be marked as **"ENVELOPE 1" –Legal, and Technical Documents <Title of Tender> <Name of Bidder>**, and shall contain the following:

a.	Valid and current Mayor's Permit or Municipal License	Form L-1
b.	Valid SEC with latest General Information Sheet with 60% Filipino Ownership or DTI Registration whichever is applicable	Form L-2
c.	Latest valid BIR Tax Clearance or BIR Registration (BIR Form 2303) for new entities	Form L-3 Form L-3A
d.	Duly notarized Authority of Signing Official in any of prescribed form as maybe applicable or Notarized Secretary's Certificate for Corporation.	Form L-4 or Form L-4A
e.	Duly notarized Affidavit of Authenticity by the prospective bidder	Form L-5

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	or his duly authorized representative that each of the documents submitted is an original copy or a true and faithful reproduction or copy of the original	
f.	Certification that the items for bidding have been seen/inspected by the Bidder or Waiver of Inspection whichever is applicable	Form L-6 or Form L-6A
g.	Work Schedule and Methodology	Form T-1
h.	Risk Assessment	Form T-2
i.	Equipment Mobilization and Manpower Deployment Schedule	Form T-3
j.	Auction Bond in the amount and any form prescribed per Section 6.2.1 of the TOR	Form T-4

- 6.1.6 The second envelope should be marked as “**ENVELOPE 2**” – **Bid Offer <Title of Tender> <Name of Bidder>**, and shall contain the Duly Notarized Bid Proposal (Form F-3) for ALL items on sale.
- 6.1.7 Failure to comply with the sealing and marking requirements is a ground for automatic disqualification of the bidder. Bid tender shall be immediately returned unopened.
- 6.1.8 Any alterations, erasures, interlineations, or overwriting shall be valid only if they are signed or initialed by the duly authorized representative of the Bidder.
- 6.1.9 The bidder shall submit a bid not lower than the minimum bid price as indicated in the ITB. **The twelve percent (12%) VAT are excluded in the bid.**
- 6.1.10 The buyer of the properties shall pay, in addition to the purchase price, any taxes, customs duties, costs or charges of any kind or nature whatsoever levied or to be levied in connection with the sale of the properties. All expenses incidental to the withdrawal of the properties shall be borne by the winning bidder.

6.2 Auction Bond

- 6.2.1 Auction Bond shall be in the form of Cash, Manager's Check or Cashier's Check acquired from a reputable commercial or universal bank in the amount equivalent to not less than ten percent (10%) of the minimum bid price and posted in favor of the Philippine Ports Authority.
- 6.2.2 Auction Bond shall be submitted together with all the requirements under Envelop No. 1 for a complete Bid Proposal and shall be immediately returned after the announcement of the winning bidder/s.

- 6.2.3 Failure to enclose the Auction Bond in Envelop 1 or the posting of a Bond not conforming with the prescribed form or stipulated amount shall be a ground for outright rejection of the Bid.
- 6.2.4 The Auction Bond of the Bidders may be forfeited in the any of the following circumstances:
- 6.2.4.1 If the Bidder withdraw the bid after the bid opening.
 - 6.2.4.2 If a bidder submits eligibility and/or bid documents containing false information or falsified documents or the concealment of such information in the bids in order to influence the outcome of eligibility screening or any other stage of the bidding process;
 - 6.2.4.3 In cases of any documented attempt by a bidder to unduly influence the outcome of the bidding in its favor;
 - 6.2.4.4 In the case of a successful bidder, if such bidder fails within the specified period to sign the Notice of Award or the Notice to Proceed; or
 - 6.2.4.5 All other acts that tend to defeat the purpose of competitive bidding.
- 6.2.5 The Auction Bond of the winning bidder shall be deposited at the PPA cashier and shall be considered as partial payment.

7 SUBMISSION AND WITHDRAWAL OF BIDS

- 7.1 Sealed Bids shall be submitted by the Bidders and received by the PMO Disposal Committee Secretariat on/or before the date, time and at the address indicated in the Invitation to Bid.
- 7.2 All submitted bids shall be time-stamped. Reference of time shall be the digital wall clock at the PMO NCR-South Conference Room, 2F PMO NCR-South Administration Building, South Harbor, Port Area, Manila.
- 7.3 A bidder may withdraw its tender before the deadline for the submission of bids by submitting a written notice. Bid shall be returned unopened.
- 7.4 Once the opening of bids started, no bidder shall be allowed to withdraw its tender.

8 DEFECTIVE AND UNACCEPTABLE BIDS

- 8.1 Bid submitted after the deadline for submission and receipt of bids shall not be accepted and will be time-stamped and marked "Late".

- 8.2 Unsealed and/or unlabeled bids will be time-stamped and marked "Unsealed" or "Unlabeled" and shall not be accepted.
- 8.3 Bids not complying with the sealing and marking requirements and/or with alterations, erasures, interlineations or overwriting not signed or initialed by the duly authorized representative of the Bidder shall be automatically disqualified.
- 8.4 Bids that are not in the Prescribed Form and/or not accompanied by the Auction Bond and documents required under Section 6.1 of this TOR at the time of opening shall be automatically disqualified.
- 8.5 Bids that are lower than the minimum bid price are considered defective and shall be automatically disqualified.

9 OPENING OF BIDS AND DECLARATION WINNING BIDDER

- 9.1 Opening of bids shall be conducted at the venue, time and date indicated in the Invitation to Bid and maybe witnessed by the Bidder's authorized representative. Bidders submitting unacceptable and defective bids shall not be allowed to witness the opening of bids.
- 9.2 The complying bidder with the highest total bid for all Items on sale shall be declared the winning bidder.
- 9.3 In the event that two (2) or more complying bidders have identical offers, public bidding by "*viva voce*" between those who made identical auctions shall be resorted immediately on the same day.

Only the bidders or their authorized representative physically present or through videoconferencing or similar platform shall participate in the auction by "*viva voce*". Non-participation to the auction via "*viva voce*" may be considered a waiver on the part of the bidder.

- 9.4 In the case of deferment of Award to allow the Disposal Committee to complete its deliberation, temporary receipts shall be issued by PPA-PMO NCR South for the Auction Bond submitted. Deferment of award shall not exceed five (5) working days from the date of opening of Bids.
- 9.5 Auction Bond of losing bidders shall be returned after the awarding of winning bidder upon presentation of the temporary receipt.
- 9.6 Failure of public bidding shall be declared under any of the following cases:
 - a. No auctions were received; or
 - b. All bidders failed to comply with the terms and conditions prescribed in the Invitation to Bid

9.7 In case of a failed first public auction, a re-auction shall be rescheduled. In case of failure of the second auction, the Disposal Committee may dispose the properties through negotiated sale.

10. AWARDING OF SALE

- 10.1 The bidder or their duly authorized representatives shall attend the presentation of the **Notice of Award** physically or through videoconferencing or similar platform.
- 10.2 Upon award, the Auction Bond shall be considered as partial payment, and the difference between such payment and the offered bid shall be paid in the form of cash or cashier's/manager's check, or any other digital modes of payment in accordance with Executive Order No. 170 S. 2022 . Full payment for the purpose shall be made within five (5) working days from the date of Notice of Award.
- 10.3 Failure to pay with the prescribed period shall result in the cancellation of the Award and the forfeiture of the Auction Bond. Consequently, the award shall be given to the second highest qualified and responsive bid. A new bond in the form and amount prescribed under Section 6.2.1 upon acceptance of Award shall be posted. Full payment shall be made within five (5) working days from the date of Notice of Award, otherwise, the award shall be likewise cancelled and Auction Bond forfeited.

11. CLAIMING OF AWARD AND IMPLEMENTATION OF DISPOSAL ACTIVITIES

- 11.1 **Order to Release and Notice to Proceed** shall be issued after confirmation of Award and full payment of the Bid Price.
- 11.2 The winning bidder thru his/her authorized representative shall be required to submit the request for withdrawal of the awarded unserviceable properties to PPA thru the Manager, Resource Management Division (RMD), PMO NCR-South or its designated representative within three (3) calendar days before the scheduled withdrawal from MICT or NENACO area.
- 11.3 **Tally-out Sheet** shall be accomplished by the Property and Supply Officer and shall be signed by the winning bidder/s or its authorized representative acknowledging receipt of the sold unserviceable properties.
- 11.4 **Gate Pass**, for withdrawal of properties to be disposed, shall be issued by the RMD Manager, PMO-NCS or its authorized representative upon presentation of PPA Official Receipt as proof of payment for the items sold and duly signed Tally-Out Sheet. In no case shall any item be disposed/withdrawn without the corresponding Gate Pass.

- 11.5 Unjustified failure to claim the sold property and withdraw from the NENACO Area and MICT within thirty (30) calendar days from Notice to Proceed shall cancel the award.

12. BIDDER'S RESPONSIBILITIES

- 12.1 The Winning bidder shall determine the disposal site for the items sold for disposal and secure, at its own expense, all necessary government permits required for the hauling and transport from the temporary storage area.
- 12.2 All items awarded shall be disposed within thirty (30) calendar days after receipt of the Order to Release and Notice to Proceed. Failure to dispose all items within the prescribed duration shall subject the winning bidder to payment of a storage fee in the amount of One Thousand Pesos (PhP1,000.00) per square meter per calendar day of delay.
- 12.3 Failure to remove all the items within the thirty (30) calendar day work, including all time extension, if any, renders PMO-NCS the right to dispose the remaining items in any manner as may be prescribed by the PMO Disposal Committee, and hence forfeit all payments made by the bidder in favor of the Authority.
- 12.4 Ingress and egress of winning bidders' resources such as equipment and personnel required for the disposal activities shall be pre-arranged and coordinated with PMO Disposal Committee or its duly authorized representatives for the issuance of gate passes.
- 12.5 All liability of the winning bidder, incurred for the acquisition of services, equipment, supplies and manpower by reason of executing the sale and disposal of auctioned items, shall be solely assumed by the winning bidder.

13 RESERVATION CLAUSE

The PPA reserves the right to reject any or all bids, declare a failure of bidding at any time prior to the issuance of Notice of Award without thereby incurring any liability.

BY THE PMO NCR-SOUTH DISPOSAL COMMITTEE


MA. LUZ D. EDRALIN
Member


AMBROCIO O. ILAO
Member


CATHERINE R. ESTO
Chairperson