

**BIDDING DOCUMENTS
FOR THE DISPOSAL BY SALE
OF 4 UNITS UNSERVICEABLE
MOTOR VEHICLES OF THE
DEPARTMENT OF AGRICULTURE RFO-10**

SECTION I
INVITATION TO BID



Department of Agriculture

Regional Field Office - 10

Antonio Luna St., Cagayan de Oro City

PABX (Telefax) No. (088-22) 725-725; (088) 856-2755

Email Address: da10cdo@gmail.com

INVITATION TO BID
IB No. 2019 - 079/KMP

**DISPOSAL BY SALE OF 4 UNITS UNSERVICEABLE MOTORVEHICLES
ON "AS-IS WHERE IS" BASIS
(2ND POSTING)**

The *Department of Agriculture, Regional Field Office-10*, hereby invites interested parties to participate in the public auction of *4 units Unserviceable Motor Vehicle*, with a minimum bid price of **Php73,689.69**.

Bids received lower than the minimum Bid Price 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 *Department of Agriculture - Regional Office 10 Disposal Committee* and inspect the Bidding Documents at the address given below during office hours, from **8:30 to 5:00 P.M., Monday to Friday**.

A complete set of Bidding Documents may be acquired by interested Bidders on **April 30-May 16, 2019** from the address below and upon payment of a nonrefundable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of **Php5,000.00**.

The *Department of Agriculture, Regional Field Office-10 Disposal Committee* will hold a **Pre-Bid Conference¹** on **May 14, 2019 at 3:00 PM** at *Bids and Awards Committee Office*, which shall be open to prospective bidders.

Bids must be duly received by the *Department of Agriculture, Regional Field Office-10 Disposal Committee* at the address below on or before **May 17, 2019 at 3:00 pm**. All Bids must be accompanied by a bid security in any of the acceptable forms.

Form of Bid Security	Amount of Bid Security (Equal to Percentage of the ABC)
Cash or cashier's/manager's check issued by a Universal or Commercial Bank.	Two percent (2%)

¹May be deleted in case the ABC is less than One Million Pesos (PhP1,000,000) where the Procuring Entity may not hold a Pre-Bid Conference.

Bid Securing Declaration	No percentage required
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Bid opening shall be on **May 17, 2019 at 3:30 PM** at **Bids and Awards Committee Office**. Bids will be opened in the presence of the bidders' representatives who choose to attend at the address below. Late bids shall not be accepted.

The **Department of Agriculture, Regional Field Office-10** 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 in accordance with Section 41 of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.

For further information, please refer to:

Department of Agriculture-Regional Office 10

SKY LOVE A SARMIENTO

Head, BAC A.2 Secretariat and Disposal Committee
Department of Agriculture-Regional Office 10
Antonio Luna St., Cagayan de Oro City
PABX: (088) 856-2753 to 55
www.cagayandeoro.da.gov.ph

LESTER A. JADUCANA

Chair, Bids and Awards Committee and
Property Disposal Committee

SECTION II:
INSTRUCTION TO BIDDERS AND
TERMS AND CONDITION OF SALE

SECTION II: INSTRUCTION TO BIDDERS AND TERMS AND CONDITION OF SALE

1. INTRODUCTION

1.1 The Department of Agriculture RFO 10, hereinafter referred to as DA-RFO 10, will receive bids for the sale of various unserviceable properties, scrap and waste materials and motor vehicles, as described in Section III of the Bidding Documents on "AS-IS WHERE-IS, CLEAN-UP and ALL MUST GO" basis.

1.2 This Section provides instructions to bidders for the Public Auction. The DA-RFO 10 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 DA-RFO 10 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 Various Unserviceable Vehicles;

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 and Bidder's Inspection Certificates and Sworn Statements;

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 until **3:00 P.M. of 17 May 2019** at the Department of Agriculture RFO 10, Antonio Luna Street, Cagayan de Oro 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 bid from parties and their authorized representatives who have been duly issued the Bid Document shall be opened. Bids from parties who have not been issued the Bid Document will be rejected outright.
- 6.2. No bid 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 DA RFO-10 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 rejected outright and returned to the bidder.

7. SUBJECT OF BID

- 7.1. Bids shall be for the sale of **4 units Unserviceable Motor Vehicles** with a minimum bid price of **Php73,689.69**.
- 7.2. The above mentioned properties shall be sold on an "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 **14 May 2019, at 3:00 PM** at the Department of Agriculture RFO 10, Antonio Luna Street, Cagayan de Oro City, which shall be open to prospective bidders.

10. PREPARATION OF BIDS

10.1. Bidders shall prepare their bids using the forms specified in this Bidding Documents and submit two (2) separate sealed bid envelopes which shall be submitted simultaneously. The first shall contain the eligibility component of the bid and the second shall contain the financial component of the bid. Each bidder shall submit one (1) original and two (2) copies of the first and second components of its bid. In case of discrepancy among the copies, the original shall govern.

10.2. The first (1st) envelope shall contain the following eligibility documents:

- (i) Registration Certificate (DTI or SEC Registration);
- (ii) Mayor's Permit
- (iii) Latest Audited Financial Statement (FS) with the corresponding Income Tax Return (ITR) stamped "received" by the Bureau of Internal Revenue (BIR) or duly accredited and authorized institution;
- (iv) Duly signed Instruction to Bidders and Terms and Condition of Sale; and
- (v) Bidder's Inspection Certificate; and
- (vi) Sworn Statement in the prescribed form.

10.3. The Second (2nd) Envelope shall contain the following financial documents:

- i) Price Quotation Form (PQF);
- and ii) Bid Security

10.4. Each envelope should be securely sealed, signed on the flap and marked as follows:

TO: **LESTER A. JADUCANA**
Chairman, Bids and Awards Committee and Property Disposal Committee
Department of Agriculture RFO 10,
Antonio Luna Street, Cagayan de Oro City

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

RE: <LOT NO. AND LOT DESCRIPTION>

10.5. The Bid Price offered must be on an individual "Lot" basis. A bidder can bid on any single lot or all lots 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 sixty (60) 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 DA RFO-10 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 DA RFO-10 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, DA RFO-10 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.

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 DA RFO-10 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 such clarifications, deviations or exceptions during the pre-bid conference giving the reasons therefore.

- 14.2. If the clarifications, deviations or exceptions are acceptable to the DA RFO-10, an amendment/addendum will be issued for the general information of all prospective bidders. It shall be the responsibility of all those who have properly secured the Bid Documents to inquire and secure the said addendum that may be issued by the DA RFO-10 on or before **17 May 2019**.

15. BID SECURITY

- 15.1. Each bidder shall submit a Bid Security in the amount of not less than two (2%) percent of the total bid price in the form of cash or manager's check payable to the House of Representatives, and/or combination thereof.
- 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. Upon determination of the highest calculated responsive bidder, the DA RFO-10 shall return outright the bid security of the other bidders without interest.
- 15.4. 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.
- 15.5. The Bid Security of the winning bidder shall be converted into Performance Bond and shall only be refunded after all the awarded items have been completely withdrawn and all provisions of the Notice of Award/Release Order/Contract have been met by the awardee.

16. SUBMISSION AND OPENING OF BIDS

- 16.1. 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 DA RFO-10 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 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 sealed and signed as required in clause 10;
 - (b) not properly marked as required in clause 10;
 - (c) not properly filled-up form (e.g. unsigned bids);

- (d) not accompanied or guaranteed by a Bid Security;
- (e) with insufficient Bid Security
- (f) not accompanied by a duly accomplished Bidder's Inspection Certificate or Sworn Statements;
- (g) with a validity period less than that required; or
- (h) lacking in any of the documents required in clause 10.

18. WITHDRAWAL OF BIDS

18.1. A bidder 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 DA RFO-10 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 DA RFO-10 to explain the reasons thereof.

20. ACCEPTANCE OF THE BID

20.1. The Bidder whose bid is the highest, responsive or complying bid on each of the individual items/lots and which is most advantageous to the DA RFO-10 shall be declared the Successful Bidder for that particular item/lot.

20.2. The Successful Bidder/Bidders must signify its consent to enter into a within five (5) days from receipt of the written notice from the DA RFO-10.

21. FAILURE OF BIDDING

21.1. The DA RFO-10 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.

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 DA RFO-10 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 or manager's check payable to the House of Representatives, and/or combination thereof, within seven (7) calendar 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 DA RFO-10.

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 DA RFO-10 the corresponding storage fee equivalent to one-tenth of one (1%) percent of the price of the unwithdrawn items, or Php. 100.00/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 DA RFO-10 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 three (3) weeks, during regular office hours (8:00 a.m. - 5:00 p.m.), Monday thru Saturday, and shall be witnessed by the designated representatives of the Disposal Committee (DC), Commission on Audit (COA) and Security Officers from the Legislative Security Bureau (LSB) and Vigilant Investigative and Security Agency Inc. (VISAI) who shall affix their signatures on the "Release Order" (RO).

24.4. 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.

24.5. In the event that the actual weight/quantity of the awarded item is less than that specified in the Notice of Award (NOA), refund of payment shall be made upon approval of the designated HOPE representative.

24.6. 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 after having been issued the Bid Documents (BD), has deemed accepted the terms and specifications established by DA RFO-10 and therefore waive any right it may have to seek and obtain a writ of injunction or prohibition or restraining order against DA RFO-10, 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 4 units Unserviceable Motor Vehicle for Disposal

1. PAJERO MITSUBISHI 3D with plate no. SCH 246
2. JEEP TOYOTA with plate no. SDW 435
3. Pick-up, Utility Mitsubishi with Plate No. SDB 777
4. Jeep, Nissan Patrol with plate no. SAZ 367

SECTION IV

**PRESCRIBED
BIDDING FORMS**

{Letterhead of the Bidder}

PRICE QUOTATION FORM

Date

LESTER A. JADUCANA
Chairman, Disposal Committee
Department of Agriculture RFO 10

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:

Description	Minimum Bid Price	Bid Offer (in Words & Figures)
4 units Unserviceable Motor Vehicles	Php73,689.69	

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, _____ Enclosed is the required Bid Security (BS) in the amount of Php.

_____ which is equivalent to ten (10%) of my total bid price.

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

{Letterhead of the Bidder}

BIDDER'S INSPECTION CERTIFICATE

This is to certify that I have personally inspected the items/materials which are subject for public bidding to be conducted on **17 May 2019, 3:30 PM** at its present location, to wit:

Lot No.	Lot Description	Location
Lot 1	Various Unserviceable Motor Vehicle, see attached Annex "A" for reference.	DA 10 Compound

Inspection of the above items/materials was conducted on **14 May 2019** in the presence of the authorized End-User/Disposal Committee representative/s.

Signature over Printed Name of Bidder

INSPECTION ATTESTED BY:

Signature over Printed Name

End-Used/Disposal Committee Representative/s

Omnibus Sworn Statement

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

I, *[Name of Affiant]*, of legal age, *[Civil Status]*, *[Nationality]*, and residing at *[Address of Affiant]*, after having been duly sworn in accordance with law, do hereby depose and state that:

1. **Select one, delete the other:**

If a sole proprietorship: I am the sole proprietor or authorized representative of *[Name of Bidder]* with office address at *[address of Bidder]*;

If a partnership, corporation, cooperative, or joint venture: I am the duly authorized and designated representative of *[Name of Bidder]* with office address at *[address of Bidder]*;

2. **Select one, delete the other:**

If a sole proprietorship: As the owner and sole proprietor, or authorized representative of *[Name of Bidder]*, I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for *[Name of the Project]* of the *[Name of the Procuring Entity]*, as shown in the attached duly notarized *Special Power of Attorney*;

If a partnership, corporation, cooperative, or joint venture: I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for *[Name of the Project]* of the *[Name of the Procuring Entity]*, as shown in the attached *[state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)]*;

3. *[Name of Bidder]* is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board;
4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
5. *[Name of Bidder]* is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. **Select one, delete the rest:**

If a sole proprietorship: The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

If a partnership or cooperative: None of the officers and members of [Name of Bidder] is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

If a corporation or joint venture: None of the officers, directors, and controlling stockholders of [Name of Bidder] is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. [Name of Bidder] complies with existing labor laws and standards; and
8. [Name of Bidder] is aware of and has undertaken the following responsibilities as a Bidder:
- a) Carefully examine all of the Bidding Documents;
 - b) Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;
 - c) Made an estimate of the facilities available and needed for the contract to be bid, if any; and
 - d) Inquire or secure Supplemental/Bid Bulletin(s) issued for the [Name of the Project].
9. [Name of Bidder] did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.

IN WITNESS WHEREOF, I have hereunto set my hand this __ day of __, 20__ at _____, Philippines.

Bidder's Representative/Authorized Signatory

SUBSCRIBED AND SWORN to before me this ___ day of *[month]* *[year]* at *[place of execution]*, Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her *[insert type of government identification card used]*, with his/her photograph and signature appearing thereon, with no. _____ and his/her Community Tax Certificate No. _____ issued on ___ at _____.

Witness my hand and seal this ___ day of *[month]* *[year]*.

NAME OF NOTARY PUBLIC

Serial No. of Commission _____

Notary Public for _____ until _____

Roll of Attorneys No. _____

PTR No. _____ *[date issued]*, *[place issued]*

IBP No. _____ *[date issued]*, *[place issued]*

Doc. No. _____

Page No. _____

Book No. _____

Series of _____