



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
Port Area, Manila

BIDDING DOCUMENTS

FOR THE

DISPOSAL

OF EIGHT (8) UNSERVICABLE

X-RAY MACHINES

(NEGOTIATED SALE)

Project ID No.: BOC DISPOSAL-2022-001
May 2022

**SECTION I.
INVITATION TO BID**

“Disposal of Eight (8) Unserviceable X-ray Machines”

The Bureau of Customs (BOC) now invites interested parties to participate in the **negotiated sale** of Eight (8) Unserviceable X-ray machines on an “as-is where-is” basis, as indicated below:

Location	Qty.	Brand	Serial Number	Price
ATN Warehouse, Las Pinas City	4	Astrophysics	ASTNA180LDV59	P150,000.00
			ASTNA180LDV60	
			ASTNA180LDV53	
			ASTNA180LDV55	
Mactan Cebu International Aitport	2	Astrophysics	ASTNA180LDV57	
			ASTNA180LDV58	
Kalibo International Airport	1	Astrophysics	ASTNA180LDV56	
Port of Clark	1	Astrophysics	30260	

The negotiation shall be done at negotiated/bid price **not lower than eighty percent (80%)** of the price (**or not lower than P120,000.00**), pursuant to the National Budget Circular No. 425 dated 28 January 2022.

A complete set of Bidding Documents may be acquired by interested Bidders on May 17-20, 2022, from 9:00 a.m. to 4:00 p.m. from the address below and upon payment of the applicable fee for the Bidding Documents in the amount of Two Thousand Pesos (P2,000.00).

It may also be downloaded free of charge from the BOC website, provided that Bidders shall pay the applicable fee for the Bidding Documents not later than the submission of their bids.

Interested bidders may obtain further information from the BOC Bids and Awards Committee (BAC) Secretariat and inspect the Bidding Documents at the address given below during office hours from 9:00 a.m. to 4:00 p.m.

The Bureau of Customs Disposal Committee will hold an Inspection of Items to be Disposed on **May 20, 2022, 10:00 a.m. via Teams**, which shall be open to prospective bidders. Interested suppliers must reserve a slot for inspection beforehand to enter the BOC premises.

Bids must be duly received by the Bureau of Customs Disposal Committee at the address below on or before **May 23, 2022, 10:00 a.m.** All Bids must be accompanied by a bid security in any acceptable forms and in the amount stated in the Bidding Document.

Bid opening shall be on **May 23, 2022, 10:00 a.m. via Teams**. Bids will be opened in the presence of the bidder’s representatives who choose to attend. Late bids shall not be accepted.

The Bureau of Customs reserves the right to reject any and all bids, declare failure of bidding, or not award the contract at any time prior to contract award.

For further information, please contact:

BOC-BAC Secretariat
General Services Division
OCOM Bldg., South Harbor, Gate 3, Port Area, Manila
Telefax No. 8527-9757
Email address: bacsecretariat@customs.gov.ph



Dir. **MICHAEL C. FERMIN**
Chairperson
BOC-BAC & Disposal Committee

SECTION II.
INSTRUCTION TO BIDDERS
AND TERMS AND CONDITIONS OF SALE

1. INTRODUCTION

- 1.1. The Bureau of Customs (BOC), hereinafter referred to as BOC, will receive bids for the negotiated sale of the eight (8) unserviceable x-ray machines, as described in Section III of the Bidding Documents.
- 1.2. This Section provides instructions to bidders for the Negotiated Sale. The BOC may issue special instructions 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 BOC 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 Negotiated Sale of Unserviceable X-ray Machines;
- 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;
- 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 to the original bid documents, if any.
- 3.1.6. Special Instructions, if any.

4. TIME AND PLACE FOR RECEIPT OF BIDS

- 4.1. Sealed bids will be received until **May 23, 2022, 10:00A.M.** at the General Services Division, OCOM Bldg., South Harbor, Gate 3, Port Area, Manila, subject to subsequent amendment/addendum issued, if any, 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 citizens 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 BOC 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 the following BOC owned unserviceable x-ray machines with details below:

Location	Qty.	Brand	Serial Number	Price
ATN Warehouse, Las Pinas City	4	Astrophysics	ASTNA180LDV59 *	Php 150,000.00
			ASTNA180LDV60 *	
			ASTNA180LDV53 *	
			ASTNA180LDV55 *	
Mactan Cebu International Airport	2	Astrophysics	ASTNA180LDV57 *	
			ASTNA180LDV58 *	
Kalibo International Airport	1	Astrophysics	ASTNA180LDV56*	
Port of Clark	1	Astrophysics	30260	

- 7.2. The above mentioned properties shall be considered one (1) Lot and shall be sold on an "AS-IS, WHERE-IS, CLEAN-UP, ALL MUST GO"

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. INSPECTION OF ITEMS / PRE-BID CONFERENCE

9.1. The Inspection of Items, which shall be open to prospective bidders who reserved a slot shall be held on **May 20, 2022 at 10:00 AM** (via online/virtual meeting platform). At the option of a prospective bidder, a site inspection shall be allowed on the same day and time.

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) Business Registration Certificate (DTI or SEC Registration);
- (ii) Valid and Current 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 Conditions of Sale; and
- (v) Bidder's Inspection Certificate;
- (vi) Sworn Statement in the prescribed form; and
- (vii) DENR-EMB Registration/Accreditation Certificate.

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: DIRECTOR MICHAEL C. FERMIN
Chairperson, BAC/ Disposal Committee
Bureau of Customs
OCOM Bldg., South Harbor, Gate 3, Port Area, Manila

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

RE: <PROJECT TITLE/DESCRIPTION>

10.5. The Bid Price offered must be for the whole "Lot" basis.

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 BOC 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 BOC 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, BOC 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 in 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 (ITB), which could result in the rejection of bid.

14. BIDDER'S EXCEPTIONS

14.1. It is the desire of the BOC 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 BOC, 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 BOC on or before 17 March 2022.

15. BID SECURITY

15.1. Each bidder shall submit a Bid Security in the amount of not less than ten (10%) percent of the total bid price in the form of cash or manager's check payable to

the Bureau of Customs, 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 BOC 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 BOC Bids and Awards 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 BOC 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 BOC to explain the reasons thereof.

20. ACCEPTANCE OF THE BID

20.1. The Bidder whose bid is the highest, responsive or complying bid and which is most advantageous to the BOC shall be declared the Successful Bidder.

20.2. The Successful Bidder must signify its consent to enter into a contract within five (5) calendar days from receipt of the written notice from the BOC.

21. FAILURE OF BIDDING

21.1. The BOC 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;
- c. All bidders failed to comply with the Terms and Conditions of Sale as prescribed in the Instruction to Bidders (ITB);
- 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 winning bidder after approval by the Head of Disposing 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 BOC 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 Bureau of Customs, 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 BOC.

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 BOC 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 BOC 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 two (2) weeks,

Monday thru Friday, and shall be witnessed by the designated representatives of the Disposal Committee (DC), Commission on Audit (COA) and Enforcement and Security Service of the Bureau, 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 after having been issued the Bid Documents (BD), has deemed accepted the terms and specifications established by BOC and therefore waive any right it may have to seek and obtain a writ of injunction or prohibition or restraining order against BOC, 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.

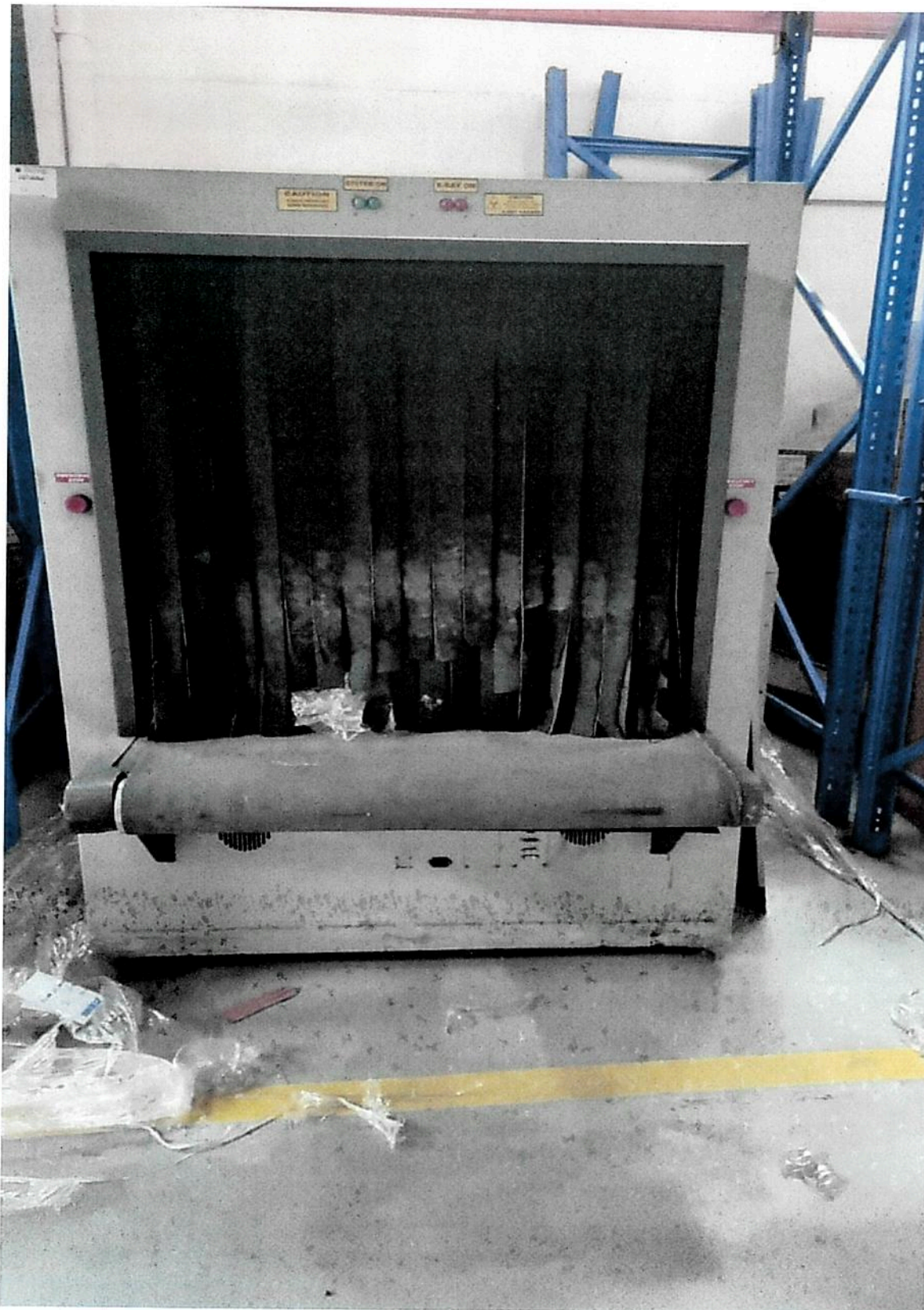
SECTION III
DESCRIPTION/LIST OF ITEMS FOR SALE

ANNEX "A"

Lot 1: One (1) Lot of Various Unserviceable X-ray Machines

Location	Qty.	Brand	Serial Number	Price
ATN Warehouse, Las Pinas City	4	Astrophysics	ASTNA180LDV59 *	Php 150,000.00
			ASTNA180LDV60 *	
			ASTNA180LDV53 *	
			ASTNA180LDV55 *	
Mactan Cebu International Airport	2	Astrophysics	ASTNA180LDV57 *	
			ASTNA180LDV58 *	
Kalibo International Airport	1	Astrophysics	ASTNA180LDV56*	
Port of Clark	1	Astrophysics	30260	

Four (4) units of Astrophysics Fixed Baggage X-ray Machines located at ATN Warehouse, Las Pinas City









Two (2) units of Astrophysics Fixed Baggage X-ray Machines located at Cebu





One (1) unit of Astrophysics Fixed Baggage X-ray Machines located at Kalibo





GPS Map Camera



Kalibo, Western Visayas, Philippines

Kalibo International Airport

Lat 11.686126°

Long 122.381372°

18/01/22 02:55 PM

One (1) unit of Astrophysics Mobile Baggage X-ray Machine located at Clark, Pampanga



**SECTION IV.
PRESCRIBED BIDDING FORMS**

{Letterhead of the Bidder}

PRICE QUOTATION

FORM

Date

MICHAEL C. FERMIN
Chairperson, Bids and Awards Committee
Bureau of Customs

Sir:

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

Lot No.	Lot Description	Price	Bid Offer (in Words and Figures)
Lot 1	Various Unserviceable X-ray Machines, described and listed in ANNEX "A" of the Bidder's Inspection Certificate.	Php 150,000.00	

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 and Contact Details

{Letterhead of the Bidder}

BIDDER'S INSPECTION CERTIFICATE

This is to certify that I have inspected the following items/materials which are subject for public bidding to be conducted on _____ at its present location, to wit:

Lot No.	Lot Description	Price	Bid Offer (in Words and Figures)
Lot 1	Various Unserviceable X-ray Machines, described and listed in ANNEX "A" of the Bidder's Inspection Certificate.	Php 150,000.00	

Inspection of the above items/materials was conducted on _____ 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-User/Disposal Committee Representative/s

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

1. SWORN STATEMENT

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 Disposing 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 Disposing 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 Disposing Entity or its duly authorized representative(s) to verify all the documents submitted;
6. Select on, 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) 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 a Cooperative: None of the officers and members of *[Name of Bidder]* is related to the Head of the Disposing 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 Disposing Entity. Members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat 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 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_____ in _____.

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].

2. 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

