

# Republic of the Philippines Department of Finance BUREAU OF CUSTOMS PORT OF DAVAO



COLLECTION DISTRICT XII
DAVAO

1<sup>st</sup> Indorsement 07 November 2017

Respectfully forwarded to **Honorable Commissioner of Customs**, *for his information*, in compliance with CAO 10-2007, the within copy of the Notice of Public Auction of NINE (9) LOTS OF VARIOUS COMMODITIES covered by Davao Seizure and Identification Nos. 21-2014, 42-2014, 35-2015, 09-2015, 15-2015 57-2015 and 70-2015 and Abandonment Proceeding Nos. 35-2017 and 49-2017, together with its enclosures, with a total recommended floor price of FOUR MILLION NINE HUNDRED THIRTY THOUSAND PESOS (Php 4,930,000.00) PESOS, "ALL ITEMS, AS IS WHERE IS BASIS".

ATTY. ERASTUS SANDINO B. AUSTRIA

**District Collector** 

00001544 Bureau of Customs Port of Davao

## **NOTICE OF PUBLIC AUCTION**

Pursuant to the provisions of Section 1139 to 1151 of the Customs Modernization and Tariff Act (CMTA), in relation to CAO 10-2007 dated November 28, 2007 and CAO 04-2016 dated October 26, 2016, and other relevant Customs Memorandum Orders, there will be a Public Auction Sale through Sealed Bidding to be conducted by the Auction and Cargo Disposal Unit, Port of Davao on:

Public Auction: November 21, 2017

Opening of sealed bids

09:00 A.M.

Place

Conference Room

Office of the District Collector

Davao Customshouse

Public Viewing of Merchandise will be available to all qualified bidders on: November 17 & 20, 2017 at DICT Wharf.

In the event of a failed bidding, the second auction shall be conducted at the same place and time on November 24, 2017 without need of any further advertisement or posting, using the same Floor Price.

Sale Lot No. 32		
Consignee: RICHCO MARKETING / PRESTIGE WAREHOUSING AND LOGISTICS  Container No.: WHLU5402770	USED MULTICAB & USED VEHICLE REPLACEMENT PARTS  " AS IS WHERE IS "	
ETA: November 13, 2014		
Abandonment Proceeding No. 35 – 2017		
Location: DICT Wharf	Representatives from ESS, CIIS, ODC and COA shall be invited to witness release.	
Floor Price: Php 550.000.00		
Sale Lot No. 33		
Consignee: ZHENJI INDUSTRIAL	CABIN, UNDER CARRIAGE, REAR END WITH SPRING, FUEL TANK, WHEEL RIMS AND GENERATOR SET	
Container No.: PCIU8498918	" AS IS WHERE IS "	
ETA: May 25, 2017	AS IS WILKE IS	
Davao Seizure Identification No. 42 – 2014		
Location: DICT Wharf	Representatives from ESS, CIIS, ODC and COA shall be invited to witness the release.	
Floor Price: Php 470,000.00		
Sale Lot No. 34		
Consignee: SOFRICH TRADING	USED MULTICAB TRUCK REPLACEMENT PARTS	
Container No.: TGHU7242277	" AS IS WHERE IS "	
ETA: March 24, 2014		
Davao Seizure Identification No. 21 – 2014		
Location: DICT Wharf	Representatives from ESS, CIIS, ODC and COA shall be invited to witness the	
Floor Price: Php 550,000.00	release.	

Sale Lot No. 35				
Consignee: STARLING TRADING				
Container No.: TCNU5365500				
ETA: October 5, 2015	USED MULTICAB / TRUCK REPLACEMENT PARTS			
Davao Seizure Identification No. 57 – 2015				
Location: DICT Wharf	" AS IS WHERE IS "			
Floor Price: Php 560,000.00	Representatives from ESS, CIIS, ODC and COA shall be invited to witness the release.			
Sale Lot No. 36				
Consignee: KORNET EXPRESS INC.				
Container No.: MRKU2246785	95 PKGS. OF USED BONGO REPLACEMENT PARTS  "AS IS WHERE IS"  Representatives from ESS, CIIS, ODC and COA shall be invited to witness the release.  USED TRUCK REPLACMENT PARTS FOR MULTICAB			
ETA: May 28, 2017				
Abandonment Proceeding No. 49-2017	" AS IS WHERE IS "			
Location: DICT Wharf				
Floor Price: Php 580,000.00				
Sale Lot No. 37				
Consignee: ERS SURPLUS VENTURES	HODD EDILON DEDI A CAMENTE DA DEC FOD MAIN THOA D			
Container No.: TCLU5126601	USED TRUCK REPLACMENT PARTS FOR MULTICAB			
ETA : April 27, 2015				
Davao Seizure Identification No. 70-2015	" AC IO WHIPPIP IO "			
Location: DICT Wharf	"AS IS WHERE IS"			
Floor Price: Php. 550,000.00	Representatives from ESS, CIIS, ODC and COA shall be invited to witness to release.			
Sale Lot No. 38				
Consignee: ERS SURPLUS VENTURES	USED TRUCK REPLACMENT PARTS FOR MULTICAB			
Container No.: TEMU8133448				
ETA: April 16, 2015				
Davao Seizure Identification No. 35-2015	" AS IS WHERE IS "			
Location: DICT Wharf	D TOO ONG ODG 1004 1 111 1 111 1			
Floor Price: Php 550,000.00	Representatives from ESS, CIIS, ODC and COA shall be invited to witness the release.			
Sale Lot No. 39				
Consignee: MIRIKIM GEN. MDSE.	USED TRUCK REPLACMENT PARTS / KIA BONGO			
Container No.: TRLU6612551				
ETA: February 2, 2015	<i>"</i>			
Davao Seizure Identification No. 09-2015	" AS IS WHERE IS "			
Location:	Representatives from ESS, CIIS, ODC and COA shall be invited to witness the			
Floor Price: Php 570, 000.00	release.			

Sale Lot No. 40

Consignee: MIRIKIM GEN. MDSE.

Container No.: TGHU9751226

ETA: February 2, 2015

Davao Seizure Identification No. 15-2015

Location: DICT Wharf

Floor Price: Php 550, 000.00

#### USED TRUCK REPLACMENT PARTS FOR MULTICAB

" AS IS WHERE IS "

Representatives from ESS, CIIS, ODC and COA shall be invited to witness the release.

### Terms and Conditions of Public Auction:

Only those who have complied with the requirements set on 1,2 and 3 enumerated herein shall be allowed to participate in the bidding:

- Filing of Bidder's Registration Form, at least two (2) days prior to the day of auction (with name, address and TIN), together with the latest certified true copy of Income and/or Business Tax Returns duly stamped "received" by the Bureau of Internal Revenue (BIR) with a validated tax payment made thereon.
- 2. Payment of non-refundable Php2,020.00 Registration Fee.
- 3. Posting of duly receipted bond in cash or manager's check, in accordance with the schedule shown below:

FLOOR PRICE						
Not over				Php	10,000.00	NONE
Over	Php	10,000.00	but not over	Php	1,000,000.00	20%
Over	Php	1,000,000.00	but not over	Php	2,500,000.00	15%
Over	Php	2,500.000.00	but not over	Php	5,000,000.00	10%
Over	Php	5,000,000.00				5%

The bond shall be refunded to the losing bidder after the closing of the auction. The bond shall not, however, be required when the floor price of a sale lot is Php10,000.00 or less.

- Registration on the logbook for registered bidders indicating the name, address and TIN to be made with the Chief, ACDD
  one (1) day before the date of actual bidding until exactly an hour immediately preceding the time of actual bidding;
  thereafter registration is closed.
- 5. Payments with Cashier's / Manager's Check / Cash to the BOC / Port of Davao shall bear the following:
  - Pay to the order of Land Bank of the Philippines-BOC E.O. IFO BOC FAO;
  - b. For credit of the Bureau of Customs;
  - c. For the account of: ;Bidder
- The auction shall be conducted through sealed bids, which shall be submitted and opened in public by the Auction Committee at the time, date and place specified in the Notice of Auction Sale.
- 7. The highest bid shall be declared as the winner except when clustering occurs. Clustering occurs when the difference between the highest and the second highest bid is within ten percent (10%) of the highest bid. In such case, an open-bidding shall be conducted among the bidders of the particular sale lot who are present with the highest bid serving as the new floor price. Only bids raised by three percent (3%) more than the new floor price shall be considered and the highest bid in the open-bidding shall be declared as the winner. Otherwise, the highest sealed bid shall be declared as the winner.
- 8. At the end of each bidding, the highest bidder shall be required to pay in cash or manager's check, in accordance with the schedule shown below:
  - a. at least fifty percent (50%) of the bid price "on the spot" upon announcement of the winning bid as duly certified to by the Auction Committee and the COA representative.
  - b. The remaining balance of 50% shall be paid on the succeeding business day.

- 9. A failed bidding shall be declared by the Auction Committee when any of the following circumstances occurs:
  - a. When there is only one sealed bid, the same shall not be opened;
  - b. When there are two sealed bids but there is only one bid higher than the floor price;
  - c. When the highest bidder fails to comply with any of the payments required in Section 9 thereof, said bidder shall be disqualified from participating further in the auction sale and when applicable, the negotiated sale thereof without prejudice to the forfeiture of the cash bond and any payment made and imposition of other sanctions as may be warranted.

For further details, please contact Atty. Dante A. Maranan,cpa, Chairman, Auction and Cargo Disposal Committee, Port of Davao, Tel No. (082) 235 -1085.

atty. erastus sandino b. austria

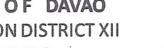
District Collector

00001530 Bureau of Customs Port of Davao



# Department of Finance **BUREAU OF CUSTOMS** PORT OF DAVAO

COLLECTION DISTRICT XII





ABANDONMENT PROCEEDING NO.: 35 - 2017

Re: SHIPMENT OF 1X40° CONTAINER NO. WHLU5402770 STC: USED VEHICLES & USED VEHICLE REPLACEMENT PARTS WITH BILL OF LADING NO. 0084A81479,



RICHCO MARKETING,

Consignee,

NOTICE AND DECLARATION OF ABANDONMENT

WHEREAS, the above-described shipment was landed at the Port of Davao on board vessel MV Bella J on November 13, 2014 consigned to RICHCO MARKETING;

WHEREAS, as provided for under Section 1129, paragraph d of the Customs Modernization and Tariff Act (CMTA), that Imported goods are deemed abandoned "Having paid the assessed duties, taxes and other charges, the owner, importer or consignee or interested party after due notice, fails to claim the goods within thirty (30) days from payment. For this urpose, the arrastre or warehouse operator shall report the unclaimed goods to the District ector for disposition pursuant to the provisions of this Act.";

WHEREAS, in the letter dated 02 August 2017 of Mr. Suharto A. Sumayan, Acting Chief, Cargo Control Unit, this Port, he recommended for the issuance of an Order for Abandonment pursuant to Sec. 1129 Par. (d), of Republic Act No. 10863 "Customs Modernization and Tariff Act (CMTA)";

WHEREFORE, by virtue of the powers vested in this Office, the above-mentioned shipment of Richco Marketing is hereby declared ABANDONED and FORFEITED in favor of the government.

The Chief, Auction and Cargo Disposal Unit, is ordered to take immediate action for disposal of the shipment in the manner prescribed by law, while the ESS-CPD, this Port is hereby directed to secure the goods from theft and pilferages.

SO ORDERED.

Port of Davao, Sasa, Davao City 02 August 2017.

**ERASTUS SANDINO B. AUSTRIA** 

**District Collector**