



NOTICE OF PUBLIC AUCTION

Pursuant to the provisions of Section 1139 to 1151 of the Customs Modernization and Tariff Act (CMTA), in relation to C.M.O. 02-2019 and C.M.O. 40-2019, C.A.O 03-2020 and other relevant Customs Memorandum Orders and issuances, there will be Public Auction Sale through Sealed Bidding to be conducted by the Auction and Cargo Disposal Division, Manila International Container Port on:

PUBLIC AUCTION : February 19, 2021 (RE-OFFER)

Opening of sealed bids : 10:00 P.M.
Place : 2nd Floor Admin building, MICP
 North Harbor, Isla PutingBato, Tondo, Manila

Public Viewing of Goods will be available to all qualified bidders on : February 18, 2021

<p>1. Sale Lot No. 001-2021</p> <p>Consignee: N R INTERNATIONAL IMPORTS EXPORTS</p> <p>Date of Arrival: 9-7-2020, 9-8-2020, 9-15-2020, 9-24-2020, 9-25-2020, 10-9-2020.</p> <p>A.P. 1749-2020; A.P. 1795-2020; A.P. 1829-2020; A.P. 1830-2020</p> <p>Floor Price: PHP5,888,384.00 @ PHP 736.04/bag(25kilos)</p>	<p>8x20' containers Indian White Rice Approximately 8,000 bags</p> <p>BL No. BLPLKRI2000158, BLPLKRI2000140, BLPLKRI2000132, BLPLKRI2000124</p> <p>Container Nos. BLZU1208820, BLZU1203881, GESU3282751, BLZU1203393, TGHU0326890, TGHU2983132, BLZU2112683, TRHU3358701</p> <p>“ AS IS WHERE IS ” Location: ICTSI-CY</p> <p>Additional Requirements:</p> <ol style="list-style-type: none"> 1. Subject to X-Ray prior to release; 2. Subject to Fumigation by the Winning Bidder before trade/sale to consuming public as per Bureau of Plants and Industries; 3. Subject to Magna Scale Prior to Release and 4. Representatives from OCOM, ESS, CIIS, POS, COA and ODC shall be invited to witness the release.
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A Modernized and Credible Customs Administration That is Among the World's Best

Manila International Container Port, Isla Puting Bato

Tel. Nos. 8527-4537, 8527-1935

Website: www.customs.gov.ph Email: Boc.cares@customs.gov.ph

Terms and Conditions of Public Auction:

1. Filing of Bidder's Registration Form (with name, address and TIN), together with the latest certified true copy of Income and/or Business Tax Returns duly stamped and received by the Bureau of Internal Revenue (BIR) with a validated tax payment made thereon at least one (1) day prior to the day of auction.
2. 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.
3. Bureau of Customs, Collection District II-B Manila International Container Port shall be issuing one-time accreditation pass to all qualified bidders to enable them to attend/bid during the public auction sale. The conduct of Public Auction Sale shall be subject to further conditions in the observance of the General Community Quarantine, to wit;
 - a. Qualified bidders shall strictly observe the prescribed rules on social (physical) distancing;
 - b. Only the qualified bidder and his/her companion are allowed inside the designated place for public auction sale;
 - c. Wearing of face mask and face shield shall be required. The Port shall provide additional PPEs for the qualified bidder and his/her companion;
 - d. Body temperature of the qualified bidders and companions shall be screened.
 - e. Only qualified and interested bidders are encouraged to attend the actual bidding.
 - f. Whenever applicable, the conduct of public viewing of the goods shall strictly follow the abovementioned guidelines.
4. Payment of non-refundable Php5,050.00 Registration Fee.
5. Posting of duly receipted bond in cash or, manager's check in amount equivalent as stated in CAO No. 04-2016 (please refer to the table below for the bond). The bond shall be refunded to the losing bidder after the closing of the auction.

FLOOR PRICE				BOND
Not Over	Ph10,000.00			None
Over	Ph10,000.00	but not over	Php 1,000,000.00	20%
Over	Php1,000,000.00	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 ten thousand pesos (Php10,000.00) or less.

6. At the end of each bidding, the highest bidder shall be required to surrender his acknowledgement receipt. Upon announcement of the winning bid, the winning bidder shall pay the bid price less the bond posted. Failure to pay the balance by the winning bidder shall cause the forfeiture of the deposit without prejudice to any sanction that the Committee may impose.

In case such payment has not been made, the subject Goods shall be re-offered within three(3) working days for non-perishable Goods and the next working day for Perishable Goods, unless the Commissioner provides a different period and subject further to compliance with the publication requirements in CAO 03-2020.

7. Payments with Cashier's / Manager's Check / Cash to the BOC / MICP shall bear the following:
 - a. BUREAU OF CUSTOMS IFO NAME OF BIDDER.

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8. The auction shall be conducted through sealed bids, which shall be submitted and opened in public by the Auction Committee at a time, date and place specified in the Notice of Auction Sale. Only One (1) sealed bid per bidder is allowed in a lot.
9. 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.
10. In case there is a tie for the highest bid, the subject item or lot shall be subjected to another auction through sealed bids among the tied bidders. In case of another tie, the winner shall be determined by toss coin.
11. An auction shall be declared as failed bidding by the Auction Committee when any of the following circumstances occurs:
 - a. When there is no bid;
 - b. When the highest bidder fails to comply with any of the payments required under section 5.10 in CAO 03-2020, said bidder shall be disqualified from participating further in the auction sale and when applicable, the negotiated sale involving the same without prejudice to the forfeiture of the minimum deposit and any payment made and imposition of other sanctions as may be warranted.
12. When a failed bidding is declared, the item of the sale lot shall be re-offered after five(5) calendar days upon publication in the official website and/or social media page of the Bureau and posting in a conspicuous place of the port. In case of Perishable goods, the second auction shall be conducted after three(3) calendar days from posting.
13. When the winning bidder fails to claim the items or lots awarded to him within thirty (30) calendar days from the date of award, upon due notice, he shall be deemed to have abandoned said goods and to have renounced all his rights thereto including forfeiture of all payments made thereon, except upon justifiable reasons, as determined by the District Collector, upon recommendation of the Committee.

Once declared abandoned, the Order of Abandonment can no longer be appealed and the subject Goods shall be disposed of in any of the manner allowed in this order.

14. The sale lots subject of magna scale weighing shall be released only after they have undergone such weighing. Should the result of the magna scale weighing for a particular sale lot differ from the approximate weight of the said sale lot stated in this Notice, the following shall take effect:
 - a. Any weight found in excess of the approximate weight of the contents of those containers subject to magna scale weighing shall not be considered as part of the sale lot offered for auction, provided, however, that in this case it is determined that there is excess weight, the winning bidder may purchase the excess weight at the pro-rated bid price per kilo of the winning bidder, provided further that the winning bidder shall purchase the whole weight of the excess articles and indicate his intention to do so within one day from discovery of the excess.
 - a.1. Pro-rated bid price per kilo shall mean the total bid amount given by the winning bidder during the bidding process divided by the published approximate weight of the sale lot. To compute for the total price to be paid for purchasing the whole sale lot, the formula to be used is as follow:

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Total Amount to be Paid = $\frac{\text{Bid Price} \times \text{Actual Weight}}{\text{Approximate weight}}$

To illustrate: assuming that the winning bid price for the Sale Lot 0xx-2015, which has a published approximate weight of 1,872,000 kilograms, I PhP50,000.00. if the sale lot, after being subject to magna scale weighing, is determined to be heavier, say 1,900,000 kilograms, and the winning bidder wishes to acquire the excess, he would have to pay a total of 50,747,863.25. the total amount has been arrived at by using the aforesaid formula, thus:


Total Amount to be Paid = $\frac{\text{PhP}50,000.00 \times 1,900,000 \text{ kgs.}}{1,872,000 \text{ kgs.}}$

Total Amount to be Paid = PhP50,747,863.25

a.2. should the winning bidder decide to purchase the excess weight, he shall pay the amount for the excess weight within five (5) days from demand thereof by the District Collector, or his duly authorized representative; otherwise, the excess quantity shall not be considered to have been sold and shall be offered for in the next public auction of the port.

15. In case the quantity determined after the magna scale weighing is less than the approximate weight in this Notice, the winning bidder shall be entitled to a proportionate adjustment of the bid amount based on the actual weight. The same formula as illustrated in 11.a.1 shall be used in computing for the adjustment in the bid amount based on the actual weight.
16. Compliance of terms & conditions of the release of the cargo by winning bidder like weighing, final counting, etc.
17. Non-compliance with any of the terms and conditions of the Notice of Public Auction shall result in the forfeiture of any payments made by the winning bidder without prejudice to the forfeiture of the subject shipments in favor of the Government.
18. The Bureau of Customs, Collection District II-B Manila International Container Port reserves the right to reject or cancel any or all bids, to waive any formality therein, and to accept such bids as may be considered most advantageous to the Government, or to call-off the bidding prior to acceptance of the bids and to call for a new bid under amended rules.

For further details, please contact **ATTY. ERNELITO G. AQUINO**, Chief, Auction and Cargo Disposal Division, MICP, Tel No.245-4101 loc. 2283.


ROMEO ALLAN R. ROSALES
Acting District Collector, MICP

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