

NOTICE OF PUBLIC AUCTION SALE

Pursuant to the provisions of Section 2601 to 2607 of the Tariff and Customs Code of the Philippines or the Customs Modernization and Tariff Act of 2016 (CMTA), Section 7, as amended, in relation to CAO 10-2007 and other relevant Customs Memorandum Orders, there will be Public Auction Sale through Sealed Bidding to be conducted by the Auction and Cargo Disposal Committee, Bureau of Customs, Port of Zamboanga on:

Public Auction: October 22, 2019

Start of Auction : 10:00 a.m

Place : Conference Room, ODC, Bureau of Customs Office, Port Area, Zamboanga

Public Viewing of Merchandise and pre-bid conference for all qualified bidders will be on: **October 21, 2019**

<p>Lot No. 01-2019</p> <p>Owner/Claimant: Raquel Cosmod</p> <p>Proceedings No. 13-2016</p> <p>Seizure Date: August 10, 2016</p> <p>Floor Price <u>Php 362,750.00</u></p>	<p align="center">One Thousand Four Hundred Fifty One (1,451) bags of rice (72,550 kgs @ 50 kgs/bag)</p> <p>Location: Philippine Ports Authority Warehouse Port of Zamboanga, Zamboanga City</p> <p align="center">“AS IS WHERE IS”</p> <p>Additional Requirements :</p> <ul style="list-style-type: none"> • Interested bidders must be a Bureau of Animal Industry (BAI) Registered as “Commercial Only M” Feed Miller/Mixed Feeds Manufacturer; • Mayors Permit; • Release shall be supervised by ESS, CIIS and COA Representatives;
<p>Lot No. 02-2019</p> <p>Owner/Claimant: Munib Sawadjaan</p> <p>Proceedings No. 14-2016</p> <p>Seizure Date: August 10, 2016</p> <p>Floor Price <u>Php 703,750.00</u></p>	<p align="center">Two Thousand Eight Hundred Fifteen (2,815) bags of rice (140,750 kgs @ 50 kgs/bag)</p> <p>Location: Philippine Ports Authority Warehouse Port of Zamboanga, Zamboanga City</p> <p align="center">“AS IS WHERE IS”</p> <p>Additional Requirements :</p> <ul style="list-style-type: none"> • Interested bidders must be a Bureau of Animal Industry (BAI) Registered as “Commercial Only M” Feed Miller/Mixed Feeds Manufacturer; • Mayors Permit; • Release shall be supervised by ESS, CIIS and COA Representatives;
<p>Lot No. 03-2019</p> <p>Owner/Claimant: Unknown</p> <p>Proceedings No. 20-2016</p> <p>Seizure date: September 19, 2016</p> <p>Floor Price <u>Php144, 875.00</u></p>	<p align="center">One Thousand One Hundred Fifty Nine (1,159) bags of rice (28,975 kgs @ 25 kgs/bag)</p> <p>Location: Philippine Ports Authority Warehouse Port of Zamboanga, Zamboanga City</p> <p align="center">“AS IS WHERE IS”</p> <p>Additional Requirements :</p> <ul style="list-style-type: none"> • Interested bidders must be a Bureau of Animal Industry (BAI) Registered as “Commercial Only M” Feed Miller/Mixed Feeds Manufacturer; • Mayors Permit; • Release shall be supervised by ESS, CIIS and COA Representatives;

<p>Lot No. 04-2019</p> <p>Owner/Claimant: Unknown</p> <p>Proceedings No. 21-2016</p> <p>Seizure date: November 3, 2016</p> <p>Floor Price <u>Php 578,750.00</u></p>	<p align="center">Four Thousand Six Hundred Thirty (4,630) bags of Rice (115,750 kgs @ 25 kgs/bag)</p> <p>Location: Subport of Jolo, Sulu</p> <p align="center">“AS IS WHERE IS”</p> <p>Additional Requirements :</p> <ul style="list-style-type: none"> • Interested bidders must be a Bureau of Animal Industry (BAI) Registered as “Commercial Only M” Feed Miller/Mixed Feeds Manufacturer; • Mayors Permit; • Release shall be supervised by ESS, CIIS and COA Representatives;
<p>Lot No. 05-2019</p> <p>Owner/Claimant: Unknown</p> <p>Proceedings No. 6-2018</p> <p>Seizure date: 02 June 2018</p> <p>Floor Price: <u>Php 4,280,625</u></p>	<p align="center">Eleven Thousand Four Hundred Fifteen (11,415)of bags of Triple AAA Sunrise (285,375@25kgs/bag)</p> <p>Location : PPA Warehouse, Zamboanga City</p> <p align="center">“AS IS WHERE IS”</p> <p>Representatives from ESS, CIIS and ODC shall be invited to witness the release</p>
<p>Lot No. 06-2019</p> <p>Owner/Claimant: Unknown</p> <p>Proceedings No.: 08-2018</p> <p>Seizure Date: 23 September 2018</p> <p>Floor Price: <u>Php 4,780,000</u></p>	<p align="center">Five Thousand Three Hundred Eleven (5,311) of bags of Royal Crown ‘88’ Well-Milled Rice (265,550 kgs @ 50 kgs/bag)</p> <p>Location: ESS Sec Warehouses, BOC PPA Warehouse, Zamboanga City</p> <p align="center">“AS IS WHERE IS”</p> <p>Representatives from ESS, CIIS and ODC shall be invited to witness the release</p>
<p>Lot No. 07-2019</p> <p>Owner/Claimant: Unknown</p> <p>Proceedings No.: 09-2018 10-2018</p> <p>Seizure Date: 23 September 2018</p> <p>Floor Price: <u>Php 4,996,800</u></p>	<p align="center">Five Thousand Five Hundred Fifty-Two (5,552) of bags Emperor Well-Milled Rice (277,600 kgs @ 50 kgs/ bag)</p> <p>Location : PPA Warehouse, Zamboanga City</p> <p align="center">“AS IS WHERE IS”</p> <p>Representatives from ESS, CIIS and ODC shall be invited to witness the release</p>
<p>Lot No. 08-2019</p> <p>Owner/Claimant: Unknown</p> <p>Proceedings No.: 10-2019</p> <p>Seizure Date: 23 September 2018</p> <p>Floor Price: <u>Php 410,000</u></p>	<p align="center">Two Hundred Thirty-Four (234) bags of Emperor Glutinous Rice (11,700 kg @ 50 kgs/bag)</p> <p>Location : PPA Warehouse, Zamboanga City</p> <p align="center">“AS IS WHERE IS”</p> <p>Representatives from ESS, CIIS and ODC shall be invited to witness the release</p>
<p>Lot No. 09-2019</p>	<p align="center">Five Thousand One Hundred Eighty-Six</p>

<p>Owner/Claimant: Unknown</p> <p>Proceedings No.: 11-2018</p> <p>Seizure Date: 27 November 2018</p> <p>Floor Price: <u>Php 2,334,000</u></p>	<p align="center">(5,186) bags of Unmarked bag (129,650 @ 25 kg/bag)</p> <p>Location: ESS Sec Warehouses, BOC PPA Warehouse, Zamboanga City</p> <p align="center">“AS IS WHERE IS”</p> <p>Representatives from ESS, CIIS and ODC shall be invited to witness the release</p>
<p>Lot No. 10-2019</p> <p>Owner/Claimant: Unknown</p> <p>Proceedings No. 13-2018</p> <p>Seizure date: 15 November 2018</p> <p>Floor Price: <u>Php 17,410,950.00</u></p>	<p align="center">Thirty Eight Thousand Six Hundred Ninety One (38,691)of Unmarked Rice (967,275@ 25kgs/bag)</p> <p>Location : Fast Cargo Logistic Warehouse, Baliwasan, Zamboanga City</p> <p align="center">“AS IS WHERE IS”</p> <p>Representatives from ESS, CIIS and ODC shall be invited to witness the release</p>

Terms and Conditions of Public Auction:

1. Filing/submission of all participants (whether natural or juridical) accomplished and duly notarized Bidder's Information Form, certified true copy of the latest Income and Business Tax Returns duly stamped "RECEIVED" by the Bureau of Internal Revenue with the validated tax payment made thereon and other documents such as ID, Affidavit of Undertaking manifesting he/she's not the owner of the items sold at public auction or he/she is not representing the owner of the said items to be sold at public auction, Community Tax Certificate, Business Permits, Certificate of Registration of Business Name issued by the Department of Trade and Industry or Securities and Exchange Commission and the above mentioned requirements, not later than two (2) days 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. Payment of non-refundable Php2, 020.00 Registration Fee.
4. Posting of duly receipted bond in cash or manager's check in an 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			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%

5. Payment of highest bidder in cash or manager's check 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. The remaining balance of 50% shall be paid on the succeeding business day.
6. Payment with Cashier's/Manager's Check/Cash to the BOC/Port of Zamboanga shall be paid to the order of Land Bank of the Philippines-BOC, Port of Zamboanga City.
7. 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.
8. 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.

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 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.
10. When a failed bidding is declared, the sale lot shall be offered in a second auction to be held on the first business day after the first failed auction at the same floor price without need of further advertisement/posting. In case of perishable goods, the second auction shall be conducted on the first business day following the first failed bidding.
11. The sale lots subject of magna scale weighing or number of bags 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 rules shall take effect:

A. Any weight found in excess of the count/inventory of the sale lot shall not be considered part of the sale lot offered for auction; provided, however, that in 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 article and indicate his intention to do so within one day from the discovery of the excess.

B. 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 follows.

$$\text{b.1 Total Amount to be Paid} = \frac{\text{Total Bid Amount}}{\text{Approximate Weight}} \times \text{Actual Weight}$$

To illustrate: Assuming that the winning bid price for Sale Lot 0xx-2015, which has a published approximate weight of 1,872,000 kilograms, is Php 50,000,000.00. If the sale lot, after being subjected 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 Php 50,747,863.25. The total amount has been arrived at by using the aforesaid formula, thus:

$$\begin{aligned} \text{Total Amount to be Paid} &= \frac{\text{Php } 50,000,000.00}{1,872,000 \text{ kgs}} \times 1,900,000 \text{ kgs} \\ \text{Total Amount to be Paid} &= \text{Php } 50,747,863.25 \end{aligned}$$

b.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 sale in the next public auction of the port.

12. 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 bid amount based on the actual weight. The same formula as illustrated in 11.b.2 shall be used in computing for the adjustment in the bid amount based on the actual weight.

13. Compliance of terms & conditions of the release of cargo by winning bidder like weighing, final counting, etc.

14. 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.

For further details, please contact **ROBERT M. MILLARES**, Chairman, Auction and Cargo Disposal Committee BOC, Port of Zamboanga Tel. No. (062) 992-6844/991-0109.


SEGUNDO SIGMUNDFREUD Z. BARTE JR.
Acting District Collector

