



NOTICE OF PUBLIC AUCTION

Under the provisions of Section 1139 to 1151 of the Customs Modernization and Tariff Act (CMTA), in relation to CAO 03-2020, CAO 04-2016 and CAO 10-2007, 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 Committee, Port of Davao on:

Public Auction: **March 30, 2023**

Opening of sealed bids : 09:00 A.M.
Place : 2nd Floor, Training Room, Davao Customshouse

Public Viewing of Sale Lots will be available to all qualified bidders at **Santa Ana Wharf on March 27, 2023.**

<p>Sale Lot No. 01-2023-01</p> <p>Consignee: JONCYR ENTERPRISES</p> <p>Decree: DSI No. 120-2022</p> <p>Location: Sta. Ana Wharf</p> <p><u>Floor Price: PHP 107,902,657.00</u></p>	<p>APPROXIMATELY 1,953,886 LITERS OF BIODIESEL</p> <p>"AS IS WHERE IS"</p>
<p>Sale Lot No. 02-2023-02</p> <p>Consignee: OWNER AND REPRESENTATIVE OF MKTR LILIAN MARIE</p> <p>Decree: DSI No. 120-2022</p> <p>Location: Sta. Ana Wharf</p> <p><u>Floor Price: PHP 33,843,277.00</u></p>	<p>ONE (1) UNIT USED 2008 OIL TANKER VESSEL (MKTR Lilian Marie)</p> <p>"AS IS WHERE IS"</p>

Terms and Conditions of Public Auction:

In line with the Memoranda of the Deputy Commissioner dated August 10, 2021, and the District Collector of this Port dated June 28, 2021, hereunder are the guidelines on the conduct of the online public auction:

1. The Public Auction will be conducted through an online platform, specifically Microsoft Teams. Conference links will be sent to the emails of the registered bidders a day before the public auction.

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2. All documentary requirements shall be submitted through Google Forms. Please refer to the link and QR code on the next page. The registration fee shall be paid at the Port's Cashier. The official receipt shall be scanned and attached to the registration link. The following are the documentary requirements:
 - a. Bidder's Information Sheet;
 - b. Latest Annual Income Tax Return Form 1702 duly stamped and received by the BIR;
 - c. Mayor's Permit;
 - d. DTI Registration and SEC Articles of Incorporations (for Corp./Inc./Coop);
 - e. Duly Notarized Board Resolution and Secretary's Certificate for an Authorized Representative of a Corporation/Cooperative OR Special Power of Attorney for an Authorized Representative of a Sole Proprietorship Entity;
 - f. Registration Fee Receipt (Php 5,050.00);
 - g. Certificate of Accreditation or License from a Regulatory Agency; and
 - h. Temporary Receipt for Posting of Bonds either in Cash or Manager's Cheque.
(Please refer to the table below for the computation of the Bonds)

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%

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

3. Payments with Cashier's / Manager's Check / Cash to the BOC / Port of Davao shall bear the following:
 - a. Pay to the order of Land Bank of the Philippines-BOC E.O. IFO BOC FAO;
 - b. For the credit of the Bureau of Customs;
 - c. For the account of: _____; Bidder
4. Documentary requirements must be certified as copies of the original by the registered bidder. Likewise, the documentary requirements and the sealed bid shall be signed on each page by the registered bidder.
5. Failure to submit and sign any documentary requirements shall automatically disqualify the registered bidder from participating further in the public auction.
6. The Public Auction shall utilize a sealed bid system. The sealed bids shall be opened in public by the Auction and Cargo Disposal Division (ACDD) members on the date, time, and venue specified in the Notice of Public Auction with the presence of the COA representative. The highest bid shall be declared as the winner except when clustering occurs.
7. The registered bidder shall tender the sealed bid in a drop box located at the Customer Care Center. Sealed bids must be tendered on or before 5 PM of the day immediately preceding the auction date. Keys to the dropbox shall be jointly entrusted to the ACDD and COA representative for safekeeping.
8. The registered bidder must strictly follow the sealed bid format, which can be accessed through the provided link and QR code. The sealed bid shall be placed in a long white sealed envelope with the following details indicated:

Name of the Registered Bidder;
 Contact Number;
 Email Address; and
 The sale lot in which a bid is tendered

9. At the end of each bidding, the bond posted by the winning bidder shall automatically be considered part of the bid price. The winning bidder shall pay the bid price less the bond posted within twenty-four (24) hours after the public auction. Failure to pay the remaining balance within the prescribed period shall cause the forfeiture of the bond without prejudice to any sanction that the ACDD may impose.
10. In case such payment has not been made, the subject good/s shall be re-offered 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 of CAO 03-2020.
11. A failed bidding shall be declared by the Auction Committee when any of the following circumstances occurs:
 - a. When there is no sealed bid;
 - b. When the highest bidder fails to comply with any of the payments required under Section 5.10 of CAO 03-2020, 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 minimum deposit and any payment made and imposition of other sanctions as may be warranted.
12. When the winning bidder fails to claim the items or lot awarded to him within thirty (30) calendar days from the date of award, upon due notice, he shall deem to have abandoned said goods and to have renounced all his rights to it, including forfeiture of all payments made thereon, except upon justifiable reasons, as determined by the District Collector, upon recommendation of the Committee.
13. Representatives from ESS, CIIS, ODC and COA shall be invited to witness the release.

For further details, please contact (082) 235 -1085 or davao@customs.gov.ph.


ATTY. ERASTUS SANDINO B. AUSTRIA, CESO V
District Collector

Registration Form

<https://forms.gle/r2F6qBQiDjG2Fcxh8>



Sealed Bid Format

<https://qrqo.page.link/DawS9>

