**NOTICE OF PUBLIC AUCTION** **SALE**

 **Pursuant to the provisions of Section 2601 to 2607 of the Tariff and Customs Code of the Philippines, 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 17, 2016**

 **Start of Auction : 1:30 p.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 10-11, 2016**

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| Lot No. 24Owner/Claimant: UnknownProceedings No. 02-16Seizure date: 22 January 2016Floor Price **Php 3,243,600.00** **@(Php 36.00/kg.)-SRA Value****”PROCEEDS TO BE HELD IN TRUST”** | **One Thousand Eight Hundred Two (1,802) bags of Refined Sugar****(90,100 kgs. @ 50 kgs/bag)****Location**: Philippine Ports Authority Warehouse  Port of Zamboanga, Zamboanga City**“AS IS WHERE IS”**Additional Requirements :SRA License Wholesaler/Retailer* Winning Bidder to pay Php 33.00/Lkg bag SRA clearance fee.

Representatives from ESS, CIIS shall be invited to witness the release |
| **Lot No.** 31**Claimant: Unknown**Proceedings No. 09-16Seizure date: 03 March 2016Floor Price**: Php 12,510,000.00** **@ (Php 36.00/kg.)-SRA Value**“**PROCEEDS TO BE HELD IN TRUST”** | **Six Thousand Nine Hundred Fifty (6,950) bags of Refined Sugar** **(347,500 kgs. @ 50 kgs/bag)****Location**: Philippine Ports Authority Warehouse Port of Zamboanga, Zamboanga City**“AS IS WHERE IS”**Additional Requirements:SRA License Wholesaler/Retailer* Winning Bidder to pay Php 33.00/Lkg bag SRA clearance fee.

Representatives from ESS, CIIS and ODC shall be invited to witness the release |
| **Lot No.** 35**Claimant: Unknown**Proceedings No. 03-16Seizure date: 17 February 2016Floor Price**: Php 1,398,600.00** **@ (Php 36.00/kg.)-SRA Value**“**PROCEEDS TO BE HELD IN TRUST”** | **Seven Hundred Seventy Seven (777) bags of Refined Sugar** **(38,850 kgs. @ 50 kgs/bag)****Location**: Philippine Ports Authority Warehouse Port of Zamboanga, Zamboanga City**“AS IS WHERE IS”**Additional Requirements:SRA License Wholesaler/Retailer* Winning Bidder to pay Php 33.00/Lkg bag SRA clearance fee.

Representatives from ESS, CIIS and ODC shall be invited to witness the release |
| **Lot No.** 36**Claimant: Unknown**Proceedings No. 16-16Seizure date: 10 August 2016Floor Price**: Php 2,737,000.00** **@ (Php 35.00/kg.)-SRA Value**“**PROCEEDS TO BE HELD IN TRUST”** | **One Thousand Five Hundred Sixty Four (1,564 ) bags of refined sugar** **(78,200 kgs. @ 50 kgs/bag)****Location**: Philippine Ports Authority Warehouse Port of Zamboanga, Zamboanga City**“AS IS WHERE IS”**Additional Requirements:SRA License Wholesaler/Retailer* Winning Bidder to pay Php 33.00/Lkg bag SRA clearance fee.

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

**Terms and Conditions of Public Auction:**

1. Filing of Bidder’s Registration Form (with name, address and TIN) at latest two (2) days prior to the day of auction.

2. Payment of Php 2,020.00 Registration Fee (non-refundable)

3. Posting of duly receipted bond in cash or manager’s check in an amount equivalent to twenty percent (20%) of the floor price for the sale lot. 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 the sale lot is less than Php 10,000.00.

4. 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. No bid application shall be accepted after 12:30 P.M, October 17, 2016.

5. Submission of all participants whether natural or juridical, together with the Bidder’s Registration Form 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. Non-submission of the said documents shall be a ground for disqualification.

6. Auction to be conducted through the sealed bids shall be submitted and opened in public by the Auction Committee at a time, date and place specified in the Notice of Auction Sale. The highest bid shall be declared as the winner except when clustering occurs.

7. Clustering occurs when the difference between the highest and second highest bid is within ten percent (10%) of the bid. In such cases, an open-bidding shall be conducted among the bidders of the particulars 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. 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.

9. 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.

10. 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 8&9 hereof, 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.

11. 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.

 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.

 a.1 Should the winning bidder decide to purchase the excess weight, he shall pay the amount for the excess weight within five (5) days from the demand 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.

 a.2 If the winning bidder, however, decides not to purchase the excess weight/bags, he shall only purchase the number of bags indicated in the lot sale.

For further details, please contact **LUZMINDA L. ALI**, Chief, Auction and Cargo Disposal Unit BOC, Port of Zamboanga Tel. No. (062) 992-6844/991-0109.

  **SGD**. **ENGR. BENHUR P. ARABANI**

OIC- District Collector