



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

A modernized and credible customs administration that upholds good governance and is among the world's best

NOTICE OF PUBLIC AUCTION

Pursuant to the provisions of Section 1118, Section 1139 to 1151 of the Customs Modernization and Tariff Act (CMTA), in relation to CAO 03-2020 dated January 08, 2020, and other relevant Customs laws, rules and regulations, there will be Public Auction Sale through Sealed Bidding to be conducted by the Auction and Cargo Disposal Division, Port of Manila on:

PUBLIC AUCTION : Monday, 18 November 2024

Opening of sealed bids : 10:00 A.M.
Place : 2nd Floor, Conference Room, Prefab Bldg.
Bureau of Customs, Port Area, Manila

Public Viewing of goods for public auction sale is available to all qualified bidders on:

ESS-Compound – Thursday , 14 November 2024

<p>Sale Lot No. 045-2024 Previous Sale Lot No.036-2024 Consignee: Thu Thrang Ngyuyen Seizure Identification No. 2024-002</p> <p>Floor Price: Php 312,390,878.00 Bond : Php 15,619,543.90</p>	<p>One (1) Unit Used 2017 Blue Bugatti Chiron VF9SP3V38HM795047 Plate No. NIM5448</p> <p>“AS IS WHERE IS” Location: ESS- Compound</p> <p>Requirement :</p> <ul style="list-style-type: none">Interested bidders must have a Certificate of Accreditation as Dealer of Motor Vehicles and /or their components issued by the Land Transportation Office.
<p>Sale Lot No. 046-2024 Previous Sale Lot No.037-2024 Consignee: Menjun Zhu Seizure Identification No. 2024-002 Menjun Zhu</p> <p>Floor Price: Php 334,238,820.00 Bond : Php 16,711,941.00</p>	<p>One (1) Unit Used 2019 Red Bugatti Chiron VF9SP3V3XKM795199 Plate No. NIM5450</p> <p>“AS IS WHERE IS” Location: ESS-Compound</p> <p>Requirement :</p> <ul style="list-style-type: none">Interested bidders must have a Certificate of Accreditation as Dealer of Motor Vehicles and /or their components issued by the Land Transportation Office.

TERMS AND CONDITIONS:

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 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 rime of actual bidding; thereafter registration is closed.
3. Payment of non-refundable Php5, 050.00 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. The Payment at the end of each bidding, the highest bidder shall be required to surrender his acknowledgment 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) 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 this CAO.

6. Payments with Cashier's / Manager's Check / Cash to the BOC / POM shall bear the following:
 - a. Pay to the order of BOC POM FAO _____;
 - b. For credit of the Bureau of Customs;
 - c. For the account of: _____; Bidder
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 all the bidders who participated per item or sale lot 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. 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.

10. A failed bidding shall be declared by the Auction Committee when any of the following circumstances occurs:
 - a. When there is no bid.
 - b. When the highest bidders fail to comply with any of the payments required under Section 5.10 hereof, said bidder shall be disqualified from participating further in the public auction 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.
11. When a failed bidding is declared, the item or 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 the case of Perishable Goods, the second auction shall be conducted after three (3) calendar days from posting.
12. 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 Auction Committee.
13. The sale lots of subjects 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 rules 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 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 follows:

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

To illustrate: Assuming that the winning bid price for Sale Lot 0xx-2015, which has a published approximate weight of 1,872,000 kilograms, is PhP50,000,000.00. 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 PhP50,747,863.25. The total amount has been arrived at by using the aforesaid formula, thus:


$$\text{Total Amount to be Paid} = \frac{\text{PhP50,000,000.00}}{1,872,000 \text{ kgs}} \times 1,900,000 \text{ kgs}$$

$$\text{Total Amount to be Paid} = \text{PhP } 50,747,863.25$$

- 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 sale in the next public auction of the port.

14. 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.a.1 shall be used in computing for the adjustment in the bid amount based on the actual weight.
15. Compliance of terms & conditions of the release of cargo by winning bidder like weighing, final counting, etc.
16. 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.
17. Release shall be supervised by ACDD, ESS, POS, OCOM, CIIS, IG, ODC and COA representatives.

For further details, please contact Auction & Cargo Disposal Division, Port of Manila, at email: boc.acdd.pom@gmail.com and/or telephone no: 86331862


ALEXANDER GERARD E. ALVIAR
District Collector, POM *g/1/20*