



December 28, 2020

**INVITATION TO BID**

The **Philippine Amusement and Gaming Corporation (PAGCOR)** through Bids and Awards Committee for Disposal (BACD) is inviting offers to buy through sealed bid in auction/bidding of sixteen (16) PAGCOR unserviceable motor vehicles located at Old Nayong Pilipino, Parañaque City under ITB No. BACD20-001.

**I. DESCRIPTION:**

Lot No.	Item Name / Description	Floor Price	Location
1	1997 Toyota Hi-ace Delux, DLX	Php 344,000.00	Old Nayong Pilipino - Parañaque City
	2001 Ford E150 Chateau Wagon		
	1998 Toyota Tamaraw FX GL-DSL		
	2000 Ford Lincoln, LP. Gold		
	1999 Toyota Hi-ace		
	1999 Toyota Hi-ace Grandia 2FJ Sil/Gray		
	2000 Ford Lincoln, Black		
	2000 Ford Lincoln, Silver F.		
	2002 Ford E150 Chateau Wagon		
	2002 Toyota Revo FX GLX A/T		
	2003 Toyota Hi-ace		
	2000 Toyota HI-ace Blu, Sil/Wht		
	2003 Nissan Exalta		
	2007 Ford E150 Chateau Wagon		
	2009 Chrysler 300C Hemi 5.7L V8		
	1997 Toyota Hi-ace		

**II. GENERAL CONDITIONS:**

1. Disposal of the unserviceable motor vehicles for auction/sale will be on "AS IS – WHERE IS" and on "CASH" basis. The bidder further acknowledges that he has been given every opportunity to investigate, inspect and verify the vehicles offered to ascertain the actual conditions thereof as well as the status of the registration papers. Bidder accepts PAGCOR's disclaimer of any warranty, implied or otherwise, that the assets conform precisely to the description available in the Invitation to Bid.

2. Officers and employees of PAGCOR and their relatives within the 4<sup>th</sup> degree of consanguinity and affinity shall be ineligible to bid.
3. Prospective bidder/s must indicate the total bid offer as the sum of entire lot. The total bid offer should not be less than the floor price for the entire lot. The floor price to be used is Php 344,000.00 (Three Hundred Forty-Four Thousand Pesos).
4. Bid offer shall strictly be in Philippine Currency.

## 5. PRE-BID CONFERENCE

DATE : January 06, 2021  
TIME : 2:00 P.M.  
VENUE : via Zoom

## 6. INSPECTION OF VEHICLES

- 6.1 Inspection shall commence on January 04, 2021 until January 05, 2021.
- 6.2 Inspection on other days apart from the schedule specified above may be arranged with the Bids and Awards Committee for Disposal (BACD) Secretariat.
- 6.3 Kindly coordinate with the BACD Secretariat for inspection schedules.

## 7. BIDDING REQUIREMENTS

- A. 7.1 The first envelope marked as “**ENVELOPE 1 – Eligibility and Technical Documents**” shall contain the following:
  1. Valid and Current Mayor’s Permit
  2. Latest Financial Statement (as of December 31, 2019) with Income Tax Return of the bidder (stamped “received” by the BIR or its duly accredited and authorized institutions)
  3. Terms of Reference and Bid Bulletin (if any) with all pages signed by the bidder or the authorized representative
  4. Bidder’s Inspection Certificate
  5. Affidavit of Authenticity duly notarized (with declaration of capacity to pay)
- B. 7.2 The second envelope marked as “**ENVELOPE 2 – Financial Documents**” shall contain the following:
  1. Bidder’s proposal in the prescribed Price Quotation Form (F-Form 1)

2. Bidder's Certificate with corresponding Bid Security/Bond equivalent to ten (10%) percent of the Total Floor Price payable to PAGCOR (F-Form 2)
- 7.3 Both envelopes to be enclosed together in an outer single envelope called the Original Bid. Two (2) more envelopes shall be reproduced containing the duplicate copies of the original bid documents and shall be marked Copy 1 and Copy 2.
- 7.4 Three copies (Original Bid, Copy 1 and Copy 2) shall be enclosed in one (1) main envelope (*see attached illustrations*).
- 7.5 The following details shall be written in the envelope:

Upper left hand corner:

Name of Bidder; Address; Telephone; and, Fax No.

Center:

BIDS AND AWARDS COMMITTEE FOR DISPOSAL (BACD)  
PHILIPPINE AMUSEMENT AND GAMING CORPORATION  
PAGCOR Executive Office  
New Coast Hotel Manila  
Meeting Room A, 5<sup>th</sup> Floor, 1588 MH Del Pilar cor. Pedro Gil St.,  
Malate Manila

I T B N u m b e r : B A C D20-001

Public Auction of sixteen (16) PAGCOR unserviceable motor vehicles

Bottom: Do not open before 2:00 P.M of January 11, 2021.

- 7.6 Bid Documents shall be available at LMD Office, 9<sup>th</sup> Floor PAGCOR Main Corporate Office iMET BPO Tower, CBP-1A Metropolitan Park, Roxas Boulevard, Pasay City c/o BACD Secretariat Vilma L. Reola (7755-31-99 loc. 2087) from 10:00 A.M. to 4:00 P.M. upon payment of non-refundable Bidding Fee of Five Hundred Pesos (Php 500.00).

## **8. BID CURRENCY**

In all bids, prices shall be expressed in written words and figures in Philippine Currency. In case of discrepancies between prices in words and figures, the prices in words shall be considered as the bid price.

## **9. BIDDER'S EXCEPTION**

9.1 Any bidder who desires to make any clarifications, deviations or exceptions on some provisions of the Bid Documents should, within three (3) calendar days before the date set for the opening of bids, communicate such clarifications, deviations or exceptions in writing to the BACD Chairman, giving the reason therefore.

9.2 If the clarifications, deviations or exceptions are acceptable to PAGCOR, an Amendment/Addendum will be issued for the general information of all prospective bidders. It shall be the responsibility of all those who have properly secured the Bid Documents to inquire and secure the said addendum that may be issued by PAGCOR.

## **10. BID SECURITY AND PERFORMANCE BOND**

10.1 Each bidder shall submit with his bid a Bid Security/Bond in the amount of not less than ten percent (10%) of the total floor price in the form of cash or manager's check payable to the PAGCOR.

10.2 A bid submitted without the required Bid Security/Bond or with a Bid Security/Bond in an amount less than the required amount shall be rejected and will be returned to the bidder.

10.3 Upon determination of the highest calculated responsive bidder, the BACD shall return outright the bid security of the losing bidders. Bid/performance security posted does not earn interest.

10.4 The Bid Security/Bond shall be considered as partial payment and the difference between such payment and the offer bid price shall be paid in the form of cash or manager's check within the area where the bidding was held.

10.5 The Bid Security of the winning bidder shall be subject to forfeiture in the event the winning bidder fails or refuses to secure, sign or acknowledge the Notice of Award within five (5) working days after receipt of written advice.

- 10.6 In order to secure the faithful performance of pulling out of subject vehicles and necessary documentation relative the dropping of government plate numbers and immediate transfer of ownership of subject vehicles with concerned government agencies, the winning bidder shall be required to submit a Performance Security in the amount equivalent to five percent (5%) of his total bid price in the form of cash or manager's check. The Performance Security shall be returned to the winning bidder within 3-5 working days after all the documentation needed for the dropping and transfer are accomplished and all the subject vehicles are in the physical possession of the winning bidder.
- 10.7 The Performance Security of the winning bidder shall be subject to forfeiture in the event the winning bidder fails to pull out the vehicles within the period specified in the Release Order and/or pertinent documentation as to transfer of ownership and dropping of government plate numbers are not taken cared of after a reasonable amount of time.
- 10.8 Full payment of bid price shall be made on or before 3:00 P.M. of the third (3<sup>rd</sup>) working day from the date of the receipt of Notice of Award.

## **11. SUBMISSION AND OPENING OF BIDS**

- 11.1 Bidders or their authorized representatives shall deliver by hand/courier service their bid at the date, time and place as set out in Sections 7.5 and 11.6. After the time set for bid opening, the BACD Chairperson will open and read the bids in the presence of the COA Auditor, bidders or their authorized representatives.
- 11.2 Should there be two or more bidders who submit the same bid price for the bidden item/s, the authority reserves the right to make the award to the most advantageous/complying bid. Should there be more than one highest total calculated and responsive bid submitted, the BACD shall resort to drawing by lot to determine the winning bidder.
- 11.3 Should the bid received is lower than the floor price or should there be no bidder for the unserviceable properties, public bidding will be considered as "failed". In the event of a failed 2<sup>nd</sup> public bidding, PAGCOR may resort to Negotiated Sale pursuant to Section 79 of P.D 1445 dated June 11, 1978, provided that the bid price shall not be lower than the price as determined by BACD.

11.4 Offers received after the time set for bid opening will not be accepted.

11.5 The Invitation to Bid shall form part of the Terms of Reference.

11.6 Submission and opening of bids shall be on January 11, 2021, Monday, 2:00 P.M at PAGCOR Executive Office, New Coast Hotel Manila, Meeting Room A, 5<sup>th</sup> Floor, 1588 MH Del Pilar cor. Pedro Gil St., Malate Manila.

11.7 Bidder/authorized representative shall be present during the auction.

11.8 Bidders shall address and submit their sealed envelopes to:

BIDS AND AWARDS COMMITTEE FOR DISPOSAL (BACD)  
PHILIPPINE AMUSEMENT AND GAMING CORPORATION  
PAGCOR Executive Office  
New Coast Hotel Manila  
Meeting Room A, 5<sup>th</sup> Floor, 1588 MH Del Pilar cor. Pedro Gil St.,  
Malate Manila;

11.9 No bids shall be accepted after the scheduled opening date and time.

11.10 Pre-screening of Bid Documents is scheduled on January 07, 2021, 9:00 AM to 12:00 NN at LMD Office, 9<sup>th</sup> Floor PAGCOR Main Corporate Office iMET BPO Tower, CBP-1A Metropolitan Park, Roxas Boulevard, Pasay City. However, said activity is non-bidding.

## **12. DEFECTIVE BIDS**

At the time of opening of bids, a bid shall be considered defective in any of the following cases:

- a. not in the prescribed form;
- b. unsigned bids;
- c. not accompanied or guaranteed by a bid security;
- d. with insufficient bid security; and
- e. not accompanied by a duly accomplished Bidder's Inspection Certificate.

## **13. WITHDRAWAL OF BIDS**

13.1 A bidder may be allowed to withdraw his bid before the time of opening of bids. His bid shall be returned unopened.

13.2 After the opening of bids has commenced, no bidder shall be allowed to withdraw his offer.

#### **14. RESERVATION CLAUSE**

PAGCOR reserves the right to reject any or all bids and to waive any formality found therein and to accept such bids as maybe considered most advantageous to its interest, without any obligation on the part of PAGCOR to explain the reasons thereof.

PAGCOR reserves the right to disqualify any and/or all prospective bidder/bidders if found that they have submitted falsified documents and/or information, and the right to accept or reject any or all bids, to annul the bidding process, to waive any defects of formalities found therein and to accept such bid or a part thereof as may be deemed most advantageous to PAGCOR without thereby incurring any liability to the affected bidder or bidders.

PAGCOR reserves the right to change any of the rules as it sees fit. Revised Terms of Reference will be issued whenever applicable. PAGCOR further reserves the right to amend the Terms of Reference any time prior to the submission of the sealed bids, PAGCOR will entertain request to reschedule the bidding within a reasonable period of time.

PAGCOR reserves the right to reject any and/or all bids, or declare a failure of bidding, or not award the contract, if there is *prima facie evidence of collusion* between relevant public officers or employees of the agency or between the BACD and any of the bidders, or if collusions is between or among the bidders, or between a bidder and a third party, including any act which restricts, suppresses or nullifies competition, or if the BACD is found to have failed to follow the prescribed bidding procedures, or for any justifiable and reasonable ground where the award of the contract shall not redound to the benefit of the government.

All documents submitted by the bidders are presumed to be legally in order that the person signing and executing said documents is authorized to do so and that the signatures appearing thereon are authentic and not forged. Any material defect or misrepresentation on the documents which will invalidate or render unenforceable the bids submitted shall cause the rejection of the bid and the forfeiture of any amount tendered to PAGCOR. All communications as regards the conduct of public auction shall be addressed to:

Bids and Awards Committee for Disposal  
Thru the Secretariat  
PAGCOR Main Corporate Office, iMET BPO Tower,  
Metropolitan Park, Roxas Boulevard, Pasay City

## **15. FAILURE OF BIDDING**

PAGCOR shall declare the bidding a failure in any of the following cases:

- a. There is no bidding participant;
- b. Only one (1) bidder submitted a bid;
- c. All bidders failed to comply with terms and conditions prescribed in the Instruction to Bidder (IB); and
- d. Complying bidders failed to meet the minimum bid price for the whole lot.

## **16. AWARDING**

- 16.1 Award shall be made to the highest complying bidder.
- 16.2 Notice of Award shall be issued to the successful bidder after approval of the concerned approving authority.
- 16.3 No transfer and/or assignment of award shall be allowed.  
The award shall be cancelled, rendered ineffective and the Bid Security/Bond forfeited in favor of PAGCOR, if the winning bidder fails or refuses to secure, sign or acknowledge the Notice of Award within five (5) working days after receipt of written advice.
- 16.4 There must be at least two (2) bidders for the whole lot that meet and satisfy all requirements; otherwise, the bidding for the entire lot fails.
- 16.5 The highest bidder shall be notified in writing.
- 16.6 Post qualification of the highest bidder shall be conducted to verify the documents submitted and to clear the bid bond.
- 16.7 Awarding to the winning bidder shall be subject to the approval of PAGCOR Board of Directors.
- 16.8 Notice of Award shall be issued after the Board has granted approval.
- 16.9 In the event of a failed second (2<sup>nd</sup>) public bidding, PAGCOR may resort to Negotiated Sale consistent with applicable laws, rules and regulations.



## **17. PAYMENT**

- 17.1 The full amount covering the awarded items shall be paid in full by the awardee in the form of cash or manager's check payable to the PAGCOR within five (5) working days upon receipt/acknowledgement of the Notice of Award.
- 17.2 In case of failure of full payment within the prescribed period, the awardee shall be penalized through cancellation of the award and forfeiture of the bond in favor of PAGCOR.
- 17.3 Bid bond shall be considered as partial payment and the difference between the bid bond and the offered bid price shall be paid in the form of manager's check from any Universal or Commercial bank.
- 17.4 The remaining balance of the bid price shall be paid in full at PAGCOR's Fund Management Department (FMD) Cashier within five (5) working days (inclusive of 3 working days clearing of manager's check) from receipt of the Notice of Award.
- 17.5 Failure of full payment within the prescribed five (5) working days or withdrawal by the winning bidder of his bid offer/price shall mean forfeiture of his ten percent (10%) bidder's bond in favor of PAGCOR to be applied as liquidated damages.

## **18. RELEASE/WITHDRAWAL OF AWARDED ITEMS**

- 18.1 After payment of the awarded items, the awardee shall withdraw the unserviceable properties within the required period of ten (10) calendar days as stipulated in the Release Order. Otherwise, the awardee shall pay the corporation the corresponding storage fee equivalent to One Hundred Pesos (P100.00) per vehicle per day of delay, but not to exceed ten percent (10%) of the total amount of the award.
- 18.2 Selective withdrawal is not allowed. The awardee shall withdraw all the items contained in the awarded lot.

## **19. PLATES**

**PAGCOR** shall retain custody of the Philippine Registration (PR) plates (i.e. red plates and security plates) of all PAGCOR owned vehicles proposed for disposal until they have been registered for private use. After

conclusion of the public bidding or auction of the vehicles, a PAGCOR representative shall accompany the winning bidder in surrendering the PR plates to the Land Transportation Office (LTO) for eventual registration of said purchased vehicle(s) from government to private use and cancellation of PAGCOR Official Receipts (O.R.) Certificate of Registration (C.R.).

## **20. TAXES, COSTS OR CHARGES**

- 20.1 The awardee shall pay, in addition to the purchase price, any taxes, costs or charges of any kind or nature whatsoever levied, or to be levied by law, arising from the sale of the items.
- 20.2 All expenses incidental to the withdrawal of the items shall be borne by the awardee.

## **21. ACCEPTANCE OF BID TERMS AND WAIVER OF RIGHTS TO ENJOIN PROTEST**

The bidder after having been issued the Bid Documents, has deemed accepted the terms and specifications established by the PAGCOR and therefore waive any right it may have to seek and obtain a writ of injunction or prohibition or restraining order against PAGCOR, to prevent or restrain the bidding process or any proceedings related thereto, the negotiation or award of the contract to the successful bidder and the implementation of the awarded contract.



**CELESTINA R. ADOR**

Chairman

Bids and Awards Committee for Disposal (BACD)

PAGCOR