TERMS OF REFERENCE

SALE / DISPOSAL OF ONE (1) LOT BCDA MANAGEMENT HOLDINGS INC. (BMHI) UNSERVICEABLE PROPERTIES (MOTOR VEHICLES, IT EQUIPMENT, AND FURNITURE)

This Terms of Reference (TOR) describes the procedures that will be followed in connection with the Sale/Disposal of ONE (1) LOT BCDA MANAGEMENT HOLDINGS INC. (BMHI) UNSERVICEABLE PROPERTIES (MOTOR VEHICLES, IT EQUIPMENT, AND FURNITURE).

Bases Conversion and Development Authority (BCDA) reserves the right to amend or supplement this TOR at any time prior to the submission of the final proposals. The Disposal Committee of BCDA shall administer this TOR. Any decision of and/or action taken by the Disposal Committee is subject to the approval of the BAC for Disposal.

I. BACKGROUND

The BCDA Disposal Committee shall facilitate the disposition of BMHI assets in line with the deactivation of the BCDA Management Holdings, Inc. (BMHI). As per guidelines under the National Budget Circular No. 425 dated January 28, 1992, Manual for Disposal of Government Property, wherein unserviceable, no longer needed, and/or obsolete supplies, materials, equipment, and motor vehicles are sold, destroyed, donated, or transferred to another government agency or institutions, conducting disposal of unserviceable properties.

OBJECTIVE

There is a need to dispose of the BMHI unserviceable properties to avoid further deterioration, as well as to generate greater benefits to the government in terms of higher appraisal value, lesser storage cost, and better management of limited office space for unserviceable properties/assets.

II. SCOPE OF PUBLIC AUCTION

LOT	DESCRIPTION (UNSERVICEABLE)	MINIMUM BID PRICE
	2004 ISUZU CROSSWIND HIGHLANDER (XLK 522) 2009 ISUZU CROSSWIND HIGHLANDER (NGI 317)	
1 LOT	IT EQUIPMENT AND FURNITURE	PHP 288,727.52

Sale/Disposal of the Unserviceable Vehicles, IT equipment, and Furniture shall be on an "AS IS WHERE IS" basis.

III. GENERAL INFORMATION

- 1. Applicable Laws. All laws governing the operation and implementation of this TOR will be the applicable laws and other issues of the Government of the Republic of the Philippines relative to the disposition of assets.
- 2. Publication of Invitation to Bid. BCDA shall publish in conspicuous public places and in the BCDA Website, inviting prospective bidders to participate in the Public Bidding substantially in the form hereto attached as **Annex "A"**.
- 3. Amendments to TOR. The information and/or procedures contained in this TOR may be amended or replaced at any time, at the Disposal Committee's discretion, without giving prior notice or providing any reason. Should any of the information and/or procedures contained in this TOR be amended or replaced, the Disposal Committee shall inform all prospective bidders of such amendments or replacements through the issuance of appropriate bid bulletins. To ensure that all prospective bidders are informed of any amendments, all shall be requested to inform BCDA of their official contact person as well as contact number and address.
- **4. Correspondence with the Disposal Committee.** As appropriate, all correspondences with the Disposal Committee shall be addressed to:

The Chairperson

Disposal Committee

Sale/Disposal of One (1) Lot BCDA Management Holdings Inc. (BMHI) Unserviceable Properties (Motor Vehicles, IT Equipment, and Furniture) Bases Conversion and Development Authority 2/F Bonifacio Technology Center 31st St. corner 2nd Avenue, Bonifacio Global City Taguig City

IV. PROCEDURES AND REQUIREMENTS

- 1. General Flow and Schedule of Activities
 - 1.1. Publication / Issuance of Invitation to Bid;
 - 1.2. Issuance of Terms of Reference (TOR);
 - 1.3. Pre-Bid Conference:
 - 1.4. Ocular Inspection of Two (2) Unserviceable Motor Vehicles, IT Equipment and Furniture by the Prospective Bidders;
 - 1.5. Submission of Clarification and Issuance of Bid Bulletin;
 - 1.6. Submission and Opening of Bids;
 - 1.7. Issuance of Notice of Award to the winning bidder;

1.8. Full payment of the Two (2) Unserviceable Motor Vehicles, IT Equipment and Furniture.

2. Detailed Procedures and Requirements

- 2.1 Issuance of TOR. The prospective bidder shall secure a copy of the Terms of Reference (TOR) of One (1) Lot BCDA Management Holdings Inc. (BMHI) Unserviceable Properties (Motor Vehicles, IT Equipment, and Furniture). The TOR is available for download thru BCDA Website at bcda.gov.ph/bids.
- 2.2 Pre-Bid Conference. To clarify and/or explain any requirements, and terms and conditions stipulated in the bid documents, BCDA Disposal Committee will hold a Pre-Bid Conference. The prospective bidders may opt to attend via Zoom Conference or attend Face-to-Face Conference following health and safety protocols.

To be able to join the online pre-bid conference, the prospective bidder shall email the Disposal Committee thru the email address bacdsecretariat@bcda.gov.ph.

The Disposal Committee shall preside over the conference. Any changes and/or additional information considered necessary by the Disposal Committee arising from the questions and answers during the Pre-Bid Conference shall be communicated to all the prospective bidders through appropriate bid bulletins.

- 2.3 Ocular Inspection. Prospective bidders will be given the chance to inspect the Two (2) Unserviceable Motor Vehicles, Unserviceable IT Equipment, and Furniture at the BMHI Building, Pamayanang Diego Silang, Barangay Ususan, Taguig City on the set schedule.
- 2.4 Valuation of One (1) Lot BCDA Management Holdings Inc. (BMHI) Unserviceable Properties (Motor Vehicles, IT Equipment, and Furniture). The minimum/floor bid price of the entire lot of One (1) Lot BCDA Management Holdings Inc. (BMHI) Unserviceable Properties (Motor Vehicles, IT Equipment, and Furniture) is amounting to Pesos: Two Hundred Eighty-Eight Thousand, Seven Hundred Twenty Seven and 52/100 (PhP288,727.52)
- 2.5 Queries and Requests for Clarification. Queries and requests for clarification after the online Pre-Bid Conference will be entertained by the Disposal Committee provided these are in writing/email to bacdsecretariat@bcda.gov.ph. The Disposal Committee shall answer such queries and requests for clarification after three (3) working days through the issuance of appropriate bid bulletins.

2.6 Submission of Bids. Sealed bids addressed to The Chairperson, BCDA BAC for Disposal shall be submitted at the BCDA Central Receiving and Releasing Area (CRRA), 2/F Bonifacio Technology Center, 31st St. cor 2nd Avenue, Bonifacio Global City, Taguig City. The sealed envelope must contain the accomplished <u>Financial Bid Form</u> and <u>Bid Bond</u>.

Sealed bids received shall be opened at the same venue where the bids were submitted.

Bids shall be prepared using the prescribed <u>Financial Bid Form</u> provided and in strict compliance with the requirements of the following instructions:

- Erasures/modifications shall be avoided or duly initialed by the bidders;
- The bid shall be accompanied by an Earnest Money in the form of <u>Cash or Manager's Check</u>, with the amount equivalent to 10% of the minimum bid price, as a guarantee that the successful bidder, within fifteen (15) calendar days from receipt of the Notice of Award, shall withdraw the goods from its present location.

A bidder may be allowed to withdraw his tender before the scheduled opening of bids, and his envelope shall be returned sealed. After the opening of bids, no bidder shall be allowed to withdraw his bid.

No bids shall be accepted after the deadline. Late bids shall not be honored and shall be automatically disqualified.

Bidders shall submit their Bid in a single package consisting of two (2) separate envelopes specifically marked "Eligibility and Technical Component (First Envelope)" and "Financial Proposal" (Second Envelope)".

First Envelope shall contain:

- a. The Terms of Reference and the Instructions to Bidders as initialed by the bidder;
- b. An affidavit in the form attached hereto as Annex "B" stating that the bidder has conducted an ocular inspection of the Two (2) Unserviceable Motor Vehicles, Unserviceable IT Equipment, and Furniture and has considered all pertinent documents relative thereto and has been accorded full and reasonable information thereon as to enable the bidder to submit a responsible bid;
- c. Copy of all bid bulletins issued by the Disposal Committee, if any; and,

d. <u>Current & Valid Mayor's/Business Permit</u>, if expired, a copy of the expired Mayor's Permit and the Official Receipt as proof that the bidder has applied for renewal of the permit issued by the city or municipality where the principal place of business of the prospective bidder is located;

Second Envelope shall contain:

- a. The Financial Bid Form **Annex "C"** that contains the bid price denominated in Philippine currency;
- b. Earnest Money in an amount not less than ten percent (10%) of the bid in the form of Cash or Manager's Check, issued by an acceptable commercial bank in favor of BCDA;
- Waiver of Right to Seek Legal Remedies Annex "D" (Owner's Authorization if Company or Secretary's Certificate if Corporation)
- 2.7 Opening of Bids. All bidders shall be invited to the bidding proper. Bids will be opened in the presence of the bidders' representatives who choose to attend the Bid Opening at the address below and at the same time, via video conferencing thru **Zoom Application**. An email invitation will be sent to all prospective bidders. The bidding proper shall be conducted at the BCDA Corporate Center, 2F Bonifacio Technology Center, 31st St. Crescent Park West, Bonifacio Global City, Taguig City. The Chairperson of the BAC for Disposal shall do the opening of bids. All bids below the Minimum Bid/Floor Price set by the Disposal Committee shall be disqualified. Incomplete submission shall be grounds for disqualification. In case there are no bids received or only one bid received, all the bids are disqualified, the BAC for Disposal shall declare a failure of the bid. In case of another failure of bidding, the BAC for Disposal shall have the option to enter into a negotiated sale for the Two (2) Unserviceable Motor Vehicles, Unserviceable IT Equipment, and Furniture. Actual participants in the failed bidding activity shall have priority in the negotiation such that non-participating parties may be allowed to negotiate only after irreconcilable disagreements have been reached with the actual bidders.
- 2.8 Declaration of Winning Bid Price, Winning Bidder, and Second Highest Bidder. The bid price determined by the BAC for Disposal as the highest bid price shall be declared the "Winning Bid Price" and the bidder who submitted the Winning Bid Price shall be declared as the "Winning Bidder". The bidder who submitted the second-highest bid price shall be declared as the "Second Highest Bidder".

Should there be two or more bidders who submitted the same bid price, the BAC for Disposal shall break the tie in accordance with the

mechanics stated under **GPPB Circular No. 06-2005** issued by the Government Procurement Policy Board on August 5, 2005.

2.9 Notice of Award. Within two (2) working days after the declaration of the Winning Bidder, the BAC for Disposal shall recommend the issuance of a Notice of Award to the Winning Bidder.

Within four (4) working days after said recommendation of the Winning Bidder, the **Executive Vice President** shall issue a Notice of Award to the Winning Bidder.

- 2.10 Payment of Balance of the Winning Bid Price. Within five (5) working days from the issuance of the Notice of Award, the Winning Bidder shall pay the Balance of the Winning Bid Price to the BCDA Treasury Department. The Balance of the Winning Bid Price shall be paid in the form of cash or manager's check issued by a reputable commercial bank payable to BCDA.
- 2.11 Earnest Money. At the time of submission of proposals, each proponent shall submit the Earnest Money to BCDA in the amount equivalent to ten percent (10%) of the minimum bid price. Said amount shall be paid in the form of cash or Manager's Check issued by a reputable commercial bank in favor of BCDA. The Earnest Money shall form part of the purchase price of the Winning Bid. Earnest Money of the non-winning bidders shall be returned after the declaration of the Winning Bidder. In case the declared Winning Bidder fails to pay the Winning Bid Price in full amount on the scheduled date, the Earnest Money shall be automatically forfeited without need of further action of any nature. Upon the recommendation of the Chairperson of the BAC for Disposal and the approval of the BCDA President and Chief Executive Officer, the Second Highest Bidder may be declared as the new Winning Bidder and the Second Highest Bid Price, provided that they are compliant with all the requirements. The process may continue until a new Winning Bidder has paid in full the corresponding bid price unless the BAC for Disposal declares otherwise.

V. QUALIFICATIONS AND WAIVERS

- 1. The BAC for Disposal reserves the right to reject any or all bids or to waive any defect, informality, or minor deviations thereon, which will not affect the substance and validity of any or all of the bids without any liability to any party for any action or decision taken by virtue of this reservation.
- 2. The buyer of disposable property shall pay, in addition to the purchase price, any taxes, customs duties, cost, or charges of any kind or nature whatsoever levied in connection with the sale of the property. All expenses incidental to the withdrawal of the property shall be borne by the awardee.

INVITATION TO BID

SALE / DISPOSAL OF ONE (1) LOT UNSERVICEABLE BCDA MANAGEMENT HOLDINGS, INC. (BMHI) PROPERTIES (MOTOR VEHICLES, IT EQUIPMENT AND FURNITURE)

The Bases Conversion and Development Authority (BCDA) through its Disposal Committee and Bids and Awards Committee (BAC) for Disposal is inviting interested proponents to bid for One (1) Lot BCDA Management Holdings Inc. (BMHI) Unserviceable Properties (Motor Vehicles, IT Equipment, and Furniture) with a total floor price of Two Hundred Eighty-Eight Thousand, Seven Hundred Twenty Seven and 00/100 (PhP288,727.52) described as follows:

LOT	PLATE NO.	YEAR	DESCRIPTION	MINIMUM BID PRICE
1 LOT	XLK 522 NGI 317	2004 2009	ISUZU CROSSWIND HIGHLANDER ISUZU CROSSWIND HIGHLANDER	PHP 288,727.52
			UNSERVICEABLE IT EQUIPMENT AND FURNITURE	

Sale/Disposal of the Unserviceable Vehicles, IT equipment, and Furniture shall be on an "AS IS WHERE IS" basis.

The Terms of References (TOR) and other bid documents will be available for download from BCDA Website at bcda.gov.ph/bids by the interested proponents on 9-14 March 2022.

BCDA Disposal Committee and Bids and Awards Committee (BAC) for Disposal will hold a Pre-Bid Conference on 15 March 2022 at 9:00 AM at the BCDA Corporate Center, 2F Bonifacio Technology Center (BTC), BGC, Taguig City and/or through via zoom, which shall be open to prospective bidders. To be able to join the online pre-bid conference, a written request shall be made/e-mailed to the BAC Secretariat.

Zoom Link:

https://bcda-gov-ph.zoom.us/i/96238595892?pwd=MEVoNUpNZU00ZVRJTTFNSkdTcmZFdz09

Meeting ID: 962 3859 5892

Passcode: 144368

Interested Bidders may inspect (face-to-face) the items for sale on 15 March 2022 @ 1-3pm at BMHI Building, Barangay Ususan, Pamayanang Diego Silang (PDS), Taguig City, and must closely coordinate with our TWG Members. All participants to the face-to-face ocular inspection are advised to strictly adhere to the health and safety protocol.

Bids must be duly submitted on or before 28 March 2022 at 12:00 NN at the BCDA Central Receiving and Releasing Area (CRRA) located at the BCDA Corporate Center, 2nd Floor, Bonifacio Technology Center, 31st St. corner 2nd Ave, Bonifacio Global City, Taguig City.

Bid opening shall be on 28 March 2022 at 1:30 PM at the same address given above. Bids will be opened in the presence of the Bidders or its authorized representatives who choose to attend. Late bids shall not be accepted.

Interested proponents can direct their inquiries to LOHREN D. CABELLON/ MA. CLEOFE P. BELTRAN thru email address bacdsecretariat@bcda.gov.ph.

BCDA reserves the right to waive minor defects in forms and requirements as long as they do not affect the genuineness and authenticity of the documents submitted.

BCDA reserves the right to accept or reject any bid, to annul the bidding process, and to reject all bids at any time prior to contract award, without thereby incurring any liability to the affected bidder or bidders.

ChairpersonDisposal Committee

INSTRUCTION TO BIDDERS THE SALE/ DISPOSAL OF ONE (1) LOT UNSERVICEABLE BCDA MANAGEMENT HOLDINGS INC. (BMHI) PROPERTIES (MOTOR VEHICLE, IT EQUIPMENT, AND FURNITURE)

I. SUBMISSION AND OPENING OF BIDS

- 1. Bidders shall submit their Financial Bid in a single envelope containing the following:
 - 1.1 Duly accomplished Financial Bid Form indicating the bid price denominated in Philippine currency;
 - 1.2 Bidder's bond amounting to ten percent (10%) of the bid proposal in the form of <u>Cash or Manager's check</u>, issued by an acceptable commercial bank in favor of BCDA;
 - 1.3 Authorization letter for the authorized representative.

The Envelope shall be labeled as follows:

FINANCIAL BID THE SALE/ DISPOSAL OF ONE (1) LOT UNSERVICEABLE BCDA MANAGEMENT HOLDINGS INC. (BMHI) PROPERTIES (MOTOR VEHICLE, IT EQUIPMENT, AND FURNITURE)

FROM:	
NAME OF BIDDER:	
ADDRESS:	
CONTACT NO.:	
FAX NO.:	

- 1.4 The Bids shall be submitted at the **BCDA Central Receiving and Releasing Area (CRRA)** not later than **March 28, 2022, at 12:00 NN.**
- 1.5 Bids submitted later than the deadline shall be automatically disqualified.
- 1.6 Opening of Bids shall be made on <u>March 28, 2022, at 1:30 PM.</u> The venue will be <u>BCDA Corporate Center, 2/F Bonifacio Technology Center, 31st St. Crescent Park West, Bonifacio Global City, Taguig City.</u>

1.7 Bids that are below the Minimum Bid/Floor Price shall be automatically disqualified.

II. WITHDRAWAL OF BIDS

A bidder may be allowed to withdraw their Bid **only before** the opening of bids and shall be returned unopened.

III. UNSUCCESSFUL BIDDING/FAILED BIDDING

Bidding may be declared unsuccessful or failed in the event of either of the following cases:

- 1. No bids are received;
- 2. All bidders failed to comply with the terms and conditions prescribed in the Terms of Reference and Instructions to Bidders.

IV. AWARDING

- 1. The award shall be given to the bidder with the highest bid price and comply with all the requirements specified in the TOR.
- 2. In case of a tie, winning bidders with the same exact amount of bid proposal shall be given the chance to improve/revise their bid proposal and place it in a sealed envelope and submit it to the BAC for Disposal. The BAC for Disposal shall conduct the opening of the new proposals and shall declare the winning bidder.
- 3. Upon determination of the winning bidder, the Bidder's bond shall be considered partial payment and the difference between such payment and the offered Bid Price shall be paid in the form of <u>Cash or Manager's Check</u> from a reputable bank.
- 4. In case of failure of full payment within the prescribed period, the winning bidder shall be penalized through the cancellation of the award and forfeiture of the Bidder's bond in favor of BCDA.

V. ISSUANCE OF GATE PASS/AUTHORITY TO PULL OUT

Gate Pass and other related documents for the Two (2) Used Motor Vehicles, Used IT Equipment and Furniture shall be issued in favor of the Winning Bidder upon full payment of the amount of Bid Price.

VI. CLAIMING OF AWARD

- 1. Claims shall be made only after the awardee has fully paid the Bid Price as evidenced by the BCDA official receipt.
- 2. Claims shall be made within <u>seven (7) working days</u> from full payment of the Bid Price. Failure of the awardee to claim the property within the stipulated period shall result in the cancellation of the award/contract. If any of the vehicles remain unclaimed after the prescribed period, ownership of the contracted/awarded Two (2) Used Motor Vehicles, Used IT Equipment and Furniture shall automatically revert to BCDA.

REPUBLIC OF THE PHILIPPINES) CITY OF) S.S.
AFFIDAVIT
I,, of legal age, Filipino citizen, with business address at, after having been duly sworn in accordance with law herein depose and say:
That, I am the (designation/position) of
That, I am duly authorized to execute this Affidavit and to attest to the truth of the statements herein deposed;
That, in connection with the public bidding for the sale/disposition of Two (2) Unserviceable Motor Vehicles, Unserviceable IT Equipment and Furniture of BCDA, it is hereby attested that:
 a. An ocular inspection of the Two (2) Unserviceable Motor Vehicles, Unserviceable IT Equipment and Furniture was undertaken by the authorized representatives of on the following dates b. All pertinent documents concerning said Two (2) Unserviceable Motor Vehicles, Unserviceable IT Equipment and Furniture have been examined by the paid representative (a to the infull pertinent).
the said representative/s to their full satisfaction.c. All other information necessary to submit a responsive bid have been furnished by the said representatives to their full satisfaction.
That, this Affidavit is being submitted to attest to the truth of the foregoing and for such other lawful purpose/s, it may serve.
That, further I say no more.
AFFIANT
SUBSCRIBED AND SWORN TO before me this day of, 2022 at, the Affiant exhibiting his/her Community Tax Certificate No issued on at
Doc. No Page No Book No Series of 2022

NOTARY PUBLIC

FINANCIAL BID FORM

THE CHAIRPERSON

in figures shall prevail.

Bids and Award Committee (BAC) for Disposal Bases Conversion and Development Authority 2/F Bonifacio Technology Center 31st St. Crescent Park West Bonifacio Global City, Taguig City

Subject: BIDDING FOR THE SALE/ DISPOSAL OF ONE (1) LOT

UNSERVICEABLE BCDA MANAGEMENT HOLDINGS INC. (BMHI)
PROPERTIES (MOTOR VEHICLE, IT EQUIPMENT, AND FURNITURE)

I/We submit this Bid Proposal with full knowledge of the requirements relating to the bidding as provided in the Invitation to Bid and the Instructions to Bidders.

I/We understand that the BCDA reserves the right to reject any or all proposals.

I/We hereby certify that we have prepared, checked, and inspected these Properties.

Bid Price in Wo	ords:			
Bid Price in Figure:				
Lot	Description	Plate No.	Year	Floor/Minimum Price
ONE (1) LOT	ISUZU CROSSWIND HIGHLANDER	XLK 522	2004	
	ISUZU CROSSWIND HIGHLANDER	NGI 317	2009	PHP 288,727.52
	UNSERVICEABLE IT E FURNITURE			
NOTE: In case of	of discrepancy between t	he amount in v	words and fig	gures, the amount

"READ AND ACCEPTED AND GOOD FOR AGREEMENT"

NAME OF BIDDER	:			
SIGNATURE	:			
POSITION	<u> </u>			
COMPANY/CORPORATION:				

(Attach any of the following: any government issued Identification Card for a sole proprietorship, Owner's Authorization if representing a Company or Secretary's Certification if representing a Corporation)

Sample Form (Waiver of Right to Seek Legal Remedies)

Date

THE CHAIRPERSON
Disposal Committee
Bases Conversion and Development Authority
2/F Bonifacio Technology Center,
31st St. Bonifacio Global City, Taguig City

Sir:

I, as a duly authorized representative of (<u>State the name of the company</u>) (hereinafter the "Company"), and in connection with the bidding for the of BCDA Two (2) Unserviceable Motor Vehicles, Unserviceable IT Equipment, and Furniture, hereby expressly and formally commit to abide by the decision of the Disposal Committee, and recognizes the sole right and discretion of the Disposal Committee to determine the Winning Proponent.

In accordance with the Terms of Reference for the Sale / Disposition, this serves as a formal waiver by the undersigned, as representative of the company of any right to file any form of legal remedy or action before any court, tribunal, or administrative body to prevent BCDA from awarding and executing a contract with the Winning Proponent determined by the Disposal Committee.

Submitted by	·	
Address	:	
Telephone nos.	:	
Email Address	:	
•	tative (please enclose letter of autho	ority)
Name & Signature	tative (please enclose letter of autho	ority)
•	tative (please enclose letter of author:	ority)
Name & Signature	tative (please enclose letter of authorise :	ority)

BIDS AND AWARDS COMMITTEE (BAC) for DISPOSAL

Bases Conversion and Development Authority
2/F Bonifacio Technology Center
31st St. Crescent Park West
Bonifacio Global City, Taguig City

BIDDER'S INSPECTION CERTIFICATION Date of Issuance:	CATE	
This is to certify that I have personally inspected the followard properties which are subject for public bidding to be conditionally at its present location/s, to with	ucted on	able
Item Description	Minimum Bid Price	
ONE (1) LOT BCDA MANAGEMENT HOLDINGS INC. (BMHI) UNSERVICEABLE PROPERTIES (MOTOR VEHICLES, IT EQUIPMENT, AND FURNITURE)	PHP 288,727.52	
Sale/Disposal of the Unserviceable Vehicles, IT equipmed shall be on an "AS IS WHERE IS" bas	· ·	
Inspection of the above items/unserviceable proper in the presence of the authorized		
(Signature over Printed Name of B Authorized Prospective Bidder Repres	•	
INSPECTION ATTESTED BY	:	
(Signature over Printed Name		

Authorized End-user Representative/s