

BIDDING DOCUMENTS
FOR THE
DISPOSAL BY PUBLIC AUCTION
OF VARIOUS SCRAP AND WASTE MATERIALS

OF THE

BATAAN PENINSULA STATE
UNIVERSITY
ABUCAY CAMPUS
2023



Section I. Invitation to Bid



BATAAN PENINSULA STATE UNIVERSITY

City of Balanga 2100 Bataan
PHILIPPINES

INVITATION TO BID (ITB)

INVITATION TO BID FOR THE DISPOSAL OF VARIOUS SCRAP AND WASTE MATERIALS ON AN "AS-IS WHERE-IS" BASIS. (BID No. BPSU-AC-001-122023)

The *Bataan Peninsula State University* hereby invites interested parties to participate in the public auction of **various scrap and waste materials**, as indicated below:

Item no.	Quantity	Unit	Item Description and Location	Current Junk Market Value	Minimum Bid Price
			Various Scrap and Waste Materials		
1	800	Kg.	G.I sheet/Located beside Supply Office near at water refilling station at BPSU Abucay Campus	Php 14.00	Php 11,200.00
2	5000	Kg.	Assorted scrap metal/Located beside Supply Office near at water refilling station at BPSU Abucay Campus	Php 17.00	Php 85,000.00
TOTAL AMOUNT:					Php 96,200

Bids received lower than the Floor Price for each lot shall be automatically rejected at bid opening.

The description of an eligible bidder is contained in the Bidding Documents.

The auction will be conducted through open competitive bidding procedure using nondiscretionary "pass/fail" criterion as specified in the Bidding Documents.

Interested bidders may obtain further information from the *Bataan Peninsula State University* Disposal Committee and inspect the Bidding Documents at the address given below during office hours, from **9:00 a.m. to 4:00 p.m.**

A complete set of Bidding Documents may be acquired by interested Bidders **on December 13 up to December 19, 2023, from 9:00 a.m. to 4:00 p.m.** at the **Supply and Property Management Office (SPMO)- Abucay BPSU Abucay Campus, Bangkal, Abucay, Bataan**

upon payment of the applicable and non-refundable fee for the Bidding Documents in the amount of ***Php 500.00 for the whole lot.***

The ***Bataan Peninsula State University Disposal Committee*** will hold a Pre-Bid Conference and Inspection of Items to be Disposed on ***December 15, 2023, at 9:00 a.m., at Supply and Property Management Office (SPMO)- Abucay BPSU Abucay Campus, Bangkal, Abucay, Bataan*** which shall be open to prospective bidders. Interested suppliers must send a letter of intent and send it personally or through email in order to reserve a slot for inspection beforehand to enter the BPSU premises.

Bids must be duly received by the Bataan Peninsula State University Disposal Committee at the address below on or before ***December 20, 2023, Friday, 9:00 a.m.*** All Bids must be accompanied by a bid security in any acceptable form and in the amount stated in the Bidding Document.

Bid opening shall be on ***December 20, 2023, at 9:30 a.m. at the Supply and Property Management Office (SPMO)- Abucay BPSU Abucay Campus, Bangkal, Abucay, Bataan*** Bids will be opened in the presence of the bidder's representatives who choose to attend. Late bids shall not be accepted.

The Bataan Peninsula State University reserves the right to reject any and all bids, declare failure of bidding, or not award the contract at any time prior to contract award.

For further information, please refer to:

Dr. Walter G. Valdez

Chairperson

Disposal and Appraisal Committee

Bataan Peninsula State University – Abucay Campus,

Bangkal, Abucay, Bataan

You may visit our email account: supply_ac@bpsu.edu.ph

Date of Issue: December 13, 2023

***Section II. Instructions to
Bidders and Terms and
Conditions of Sale***

INSTRUCTION TO BIDDERS AND TERMS AND CONDITIONS OF SALE

1. INTRODUCTION

- 1.1. The *Bataan Peninsula State University* hereinafter referred to as ***BPSU***, will receive bids for the sale of various scrap and waste materials, as described in Section III of the Bidding Documents.
- 1.2. This Section provides instructions to bidders for the Public Auction. The BPSU may issue special instructions to bidders and may require additional documents from the bidders.

2. COST OF BID

- 2.1. The Bidder shall bear all costs in the preparation and delivery of their bids and the BPSU shall in no case be responsible or liable for such costs, regardless of the outcome of the bidding process.

3. BID DOCUMENTS

- 3.1. A Complete set of Bid Documents shall include:
 - 3.1.1. *Section I - Invitation to Bid for the Disposal by Sale of Various Scrap and Waste and Materials;*
 - 3.1.2. *Section II - Instruction to Bidders (IB) and Terms and Conditions of Sale;*
 - 3.1.3. *Section III – Description/List of Items for sale;*
 - 3.1.4. *Section IV – Prescribed Bidding Forms, including Price Quotation Forms and Bidder's Inspection Certificates and Sworn Statements;*
 - 3.1.5. *Amendment and/or Addendum on the original bid documents, if any.*
 - 3.1.6. *Special Instructions, if any.*

4. TIME AND PLACE FOR RECEIPT OF THE BIDS

- 4.1. Sealed bids will be received until **9:00 a.m. of December 20, 2023 Supply and Property Management Office (SPMO)- Abucay BPSU Abucay Campus, Bangkal, Abucay, Bataan,** observing subsequent amendment/addendum issued, if any, at which time all bids shall be opened and read publicly. Submission of bids after the designated time and date shall no longer be accepted.

5. ELIGIBLE BIDDER

5.1. The following persons shall be eligible to participate in this bidding:

- (a) Duly licensed Filipino citizens/sole proprietorships;
- (b) Partnerships duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the interest belongs to citizens of the Philippines;
- (c) Corporations duly organized under the law of the Philippines of which at least sixty percent (60%) of the outstanding capital stock belongs to citizens of the Philippines;
- (d) Cooperatives duly organized under the laws of the Philippines.

6. BIDS TO BE CONSIDERED

- 6.1. Only bids from parties and their authorized representatives who have been duly issued the Bid Documents shall be opened. Bids from parties who have not been issued the Bid Documents will be rejected outright.
- 6.2. No bids shall be accepted from parties who are disqualified from participating in public bidding or in any kind of contract with the Government of the Republic of the Philippines.
- 6.3. Parties/companies with pending cases and outstanding obligations with BPSU shall be excluded from the bidding.
- 6.4. Bids submitted without Bid Security, or bids submitted with materially defective or otherwise unacceptable Bid Security will be rejected outright and returned to the bidder.

7. SUBJECT OF BID

7.1. Bids shall be for the sale of the following BPSU owned various scrap and waste materials as specified below:

	Item Description and Location	Minimum Bid Price
	Various Scrap and Waste Materials	
Lot 1	G.I sheet/Located beside Supply Office near at water refilling station at BPSU Abucay Campus	Php 11,200.00
Lot 2	Various Scrap and Waste Materials (assorted metal scrap) located at the MRF 2 of BPSU Main Campus	Php 85,000.00

- 7.2. The above-mentioned properties shall be sold on an “AS-IS, WHERE-IS, CLEAN-UP, ALL MUST GO”

8. BIDDING INFORMATION

- 8.1. No government official and employee shall directly or indirectly give, nor shall any prospective or intending bidders be entitled to, any information regarding the bidding or on the prospective bidders, other than what is contained in the Bid Documents, or disclosed in the pre-bid conference and in the official announcement of bid results.

9. INSPECTION OF ITEMS / PRE-BID CONFERENCE

- 9.1. The Inspection of Items and Pre-Bid Conference, which shall be open to prospective bidders who reserved a slot shall be held on ***December 15, 2023, at 9:00 a.m at the Supply and Property Management Office (SPMO)- Abucay BPSU Abucay Campus, Bangkal, Abucay, Bataan***

10. PREPARATION OF BIDS

- 10.1. Bidders shall prepare their bids using the forms specified in this Bidding Documents and **submit two (2) separate sealed bid envelopes** which shall be submitted simultaneously. The first shall contain the eligibility component of the bid and the second shall contain the financial component of the bid. Each bidder shall submit one **(1) original and two (2) copies of the first and second components of its bid**. In case of discrepancy among the copies, the original shall govern.
- 10.2. The first (1st) envelope shall contain the following eligibility documents:
- (i) ***Registration Certificate (DTI or SEC Registration);***
 - (ii) ***Mayor's Permit***
 - (iii) ***BIR Registration***
 - (iv) ***Duly signed Instruction to Bidders and Terms and Conditions of Sale; and***
 - (v) ***Bidder's Inspection Certificate; and***
 - (vi) ***Sworn Statement in the prescribed form.***
- 10.3. The Second (2nd) Envelope shall contain the following financial documents:
- i) ***Price Quotation Form (PQF); and***
 - ii) ***Bid Security***
- 10.4. Each envelope should be securely sealed, signed on the flap and marked as follows:

Dr. Walter G. Valdez

Chairperson

Disposal and Appraisal Committee

Bataan Peninsula State University – Abucay Campus,

Bangkal, Abucay, Bataan

You may visit our email account: supply_ac@bpsu.edu.ph

FROM: <NAME OF BIDDER>
<ADDRESS OF BIDDER>

RE: <LOT NO. AND LOT DESCRIPTION>

10.5. The Bid Price offered must be on an individual “Lot” basis. A bidder can bid on any single lot or all lots as described in Section 7 hereof.

11. BID CURRENCY

11.1 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.

12. VALIDITY OF THE PROPOSAL

12.1 A bid will be deemed valid for a period of sixty (60) calendar days from the date of bid opening, which shall be stated in the Price Quotation Form (PQF). A bid with a shorter validity period shall not be considered.

12.2 The BPSU may, after the expiration of the validity period of a bid, solicit the bidder’s consent for an extension of said validity. The response shall be made in writing or e-mail.

13. ADDENDA TO SPECIFICATIONS

13.1 BPSU shall reserve the right to amend, revise or modify the Bid Documents prior to the date of opening of bids. Such amendments, revisions, modifications, or clarifications, if any, will be made through an Addendum/Addenda, any copies will be furnished to all prospective bidders.

13.2 In consideration of its best interest, BPSU may postpone the opening of bids to a later date. In any such case, the addendum to be issued will include an announcement of the new date for opening of bids.

13.3 Bidders are required to acknowledge receipt of all addenda to the Bid Documents in the space provided in the Letter of Transmittal or by e-mail prior to the opening of bids.

- 13.4 Failure to acknowledge all addenda may cause the bid to be considered as not responsive to the Invitation to Bid (ITB), which could result in the rejection of bid.

14. BIDDER'S EXCEPTIONS

- 14.1 It is the desire of the BPSU to eliminate or minimize as much as possible post bidding discussions of bidder's clarifications, deviations or exceptions. Therefore, any bidder who desires to make any clarifications, deviations or exceptions on some provisions of the Bid Documents shall communicate such clarifications, deviations or exceptions during the pre-bid conference giving the reasons therefore.
- 14.2 If the clarifications, deviations or exceptions are acceptable to the BPSU, 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 the BPSU on or before December 5, 2023.

15. BID SECURITY

- 15.1 Each bidder shall submit a ***Bid Security in the amount of not less than ten (10%) percent of the total bid price in the form of cash or manager's check payable to the Bataan Peninsula State University, and/or combination thereof.***
- 15.2 A bid submitted without the required Bid Security or with a Bid Security in an amount less than the required amount shall be rejected and will be returned to the bidder.
- 15.3 Upon determination of the highest calculated responsive bidder, the BPSU shall return outright the bid security of the other bidders without interest.
- 15.4 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/Contract, within seven (7) calendar days after receipt of written advice.
- 15.5 The Bid Security of the winning bidder shall be converted into Performance Bond and shall only be refunded after all the awarded items have been completely withdrawn and all provisions of the Notice of Award/Release Order/Contract have been met by the awardee.

16. SUBMISSION AND OPENING OF BIDS

- 16.1 Bidders or their authorized representatives shall deliver by hand their bid at the date, time and place as set out in Clause 4 of this Section. After the time set for bid opening, the BPSU Disposal Committee will open and read the bids in the presence of the bidders or their authorized representatives.
- 16.2 Offers not submitted by the bidder's authorized representatives or received after the time set for bid opening will not be accepted.

17. DEFECTIVE BIDS

- 17.1 At the time of opening of bids, a bid shall be considered defective in any of the following cases: (a) not properly sealed and signed as required in clause 10; (b) not

properly marked as required in clause 10; (c) not properly filled-up form (e.g. unsigned bids); (d) not accompanied or guaranteed by a Bid Security; (e) with insufficient Bid Security; (f) not accompanied by a duly accomplished Bidder's Inspection Certificate or Sworn Statements; (g) with a validity period less than that required; or (h) lacking in any of the documents required in clause 10.

18. WITHDRAWAL OF BIDS

18.1 A bidder may be allowed to withdraw his Bid before the time of opening of bids. Such bid shall be returned unopened.

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

19. RESERVATION CLAUSE

19.1 The BPSU 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 the BPSU to explain the reasons thereof.

20. ACCEPTANCE OF THE BID

20.1 The Bidder whose bid is the highest, responsive or complying bid on each of the individual items/lots and which is most advantageous to the BPSU shall be declared the Successful Bidder for that particular item/lot.

20.2 The Successful Bidder/Bidders must signify its consent to enter into a contract within five (5) days from receipt of the written notice from the BPSU.

21. FAILURE OF BIDDING

21.1 The BPSU shall declare the bidding failure in any of the following cases:

- a. There is no bidding participant;
- b. Only one (1) bidder submitted a Bid for each lot;
- c. All bidders failed to comply with the Terms and Conditions of Sale as prescribed in the Instruction to Bidders (ITB);
- d. Complying bidders failed to meet the minimum bid price.

22. AWARD OF CONTRACT

22.1 Award shall be made to the highest complying bidder.

22.2 Contract/Notice of Award (NOA) shall be issued to the winning bidder after approval of the concerned approving authority.

22.3 No transfer and/or assignment of Award/Contract shall be allowed.

22.4 The Award shall be canceled, rendered ineffective and the Bid Security forfeited in favor of the BPSU Contract, within seven (7) calendar days after receipt of written advice.

23. PAYMENT

- 23.1 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 ***Bataan Peninsula State University***, and/or combination thereof, within seven (7) calendar days upon receipt/acknowledgement of the Notice of Award (NOA)/Contract.
- 23.2 No other form of payment shall be accepted.
- 23.3 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 BPSU.

24. RELEASE/WITHDRAWAL OF AWARDED ITEMS

- 24.1 After payment of the awarded items, the awardee/s shall withdraw all the listed items stated in Annexes "A" within the required period as stipulated in the Release Order (RO). Otherwise, the awardee shall pay the BPSU the corresponding storage fee equivalent to one-tenth of one (1%) percent of the price of the unwithdrawn items, or Php. 100.00/day of delay, whichever is higher but not to exceed ten (10%) percent of the total amount of the Award.
- 24.2 Once the cumulative amount of storage fee reaches ten (10%) percent of the total amount of Award, the BPSU may rescind/cancel the Award, forfeit the Bid Security, and impose the appropriate sanctions as penalty.
- 24.3 The actual release/withdrawal of awarded items shall be made within three (3) weeks, during regular office hours (8:00 a.m. - 2:00 p.m.), Monday thru Friday, and shall be witnessed by the designated representatives of the Disposal Committee (DC), Commission on Audit (COA) and Security Officers from the BPSU who shall affix their signatures on the "Release Order" (RO).
- 24.4 In the event that actual weight/quantity of the awarded items turned out to be greater than that specified in the Notice of Award (NOA), the awardee shall pay the corresponding amount of the excess quantity based on his bid price.
- 24.5 Since the bidding is at an "As Is, Where Is Basis", in the event that the actual weight/quantity of the awarded item is less than that specified in the Notice of Award (NOA), no refund of payment shall be made by the designated HOPE representative.
- 24.6 Selective withdrawal is not allowed. The awardee shall withdraw all the items within the awarded lot.

25. TAXES, CUSTOMS DUTIES, COST OR CHARGES

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

26. ACCEPTANCE OF BID AND WAIVER OF RIGHTS TO ENJOIN PROTEST

26.1 The bidder after having been issued the Bid Documents (BD), has deemed accepted the terms and specifications established by BPSU and therefore waive any right it may have to seek and obtain a writ of injunction or prohibition or restraining order against BPSU, 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.

CONFORME:

Printed Name of Bidder/Business Name

Printed Name and Signature of the Authorized Representative/Date Signed

Complete Business Address

Tax Identification No.

Mobile No., Telephone No., Fax No.

Email Address

Section III.

Description/List of Items for Sale

ANNEX “A”

Lot 1 to Lot 3: Various Scrap and Waste Materials

No.	Item/Description	Quantity
	Various Scrap and Waste Materials	
Lot 1	G.I sheet/Located beside Supply Office near at water refilling station at BPSU Abucay Campus	800kg. (approx.)
Lot 2	Assorted scrap metal/Located beside Supply Office near at water refilling station at BPSU Abucay Campus	5,000 kg. (approx.)

Section IV.
Prescribed Bidding Forms

{Letterhead of the Bidder}

PRICE QUOTATION FORM

Date

Dr. Walter G. Valdez

Chairperson

Disposal and Appraisal Committee

Bataan Peninsula State University – Abucay Campus,

Bangkal, Abucay, Bataan

You may visit our email account: supply_ac@bpsu.edu.ph

Ma'am:

In response to your Invitation to Bid (ITB) and in accordance with the stipulations of the Instructions to Bidders (ITB) and Terms and Conditions, which I duly signed and submitted as part of my eligibility documents, hereunder is my bid:

Lot No.	Lot Description	Minimum Bid Price	Bid Offer(in Words and Figures)
Lot 1	G.I sheet/Located beside Supply Office near at water refilling station at BPSU Abucay Campus		
Lot 2	Assorted scrap metal/Located beside Supply Office near at water refilling station at BPSU Abucay Campus		

I have actually seen and inspected the above items and my bid is based on my own estimate. The above offer shall be valid for,

_____. Enclosed is the required Bid Security (BS) in the amount of

Php. _____ which is equivalent to ten (10%) of my total bid price.

Very truly yours,

Printed Name of Bidder/Business Name

Printed Name and Signature of the Authorized Representative/Date Signed

Complete Business Address

Tax Identification No.

Mobile No., Telephone No., Fax No.

Email Address

BIDDER'S INSPECTION CERTIFICATE

This is to certify that I have personally inspected the following items/materials which are subject for public auction to be conducted **on December 15, 2023, 9:30 a.m.** at its present location, to wit:

Lot No.	Lot Description	Minimum Bid Price	Bid Offer (in Words and Figures)
Lot 1	G.I sheet/Located beside Supply Office near at water refilling station at BPSU Abucay Campus		
Lot 2	Assorted scrap metal/Located beside Supply Office near at water refilling station at BPSU Abucay Campus		

Inspection of the above items/materials was conducted on _____ in the presence of the authorized End-User/Disposal Committee representative/s.

Signature over Printed Name of Bidder

INSPECTION ATTESTED BY:

Signature over Printed Name
End-User/Disposal Committee Representative/s

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

S W O R N S T A T E M E N T

I, *[Name of Affiant]*, of legal age, *[Civil Status]*, *[Nationality]*, and residing at *[Address of Affiant]*, after having been duly sworn in accordance with law, do hereby depose and state that:

1. *Select one, delete the other:*

If a sole proprietorship: I am the sole proprietor or authorized representative of *[Name of Bidder]* with office address at *[Address of Bidder]*;

If a partnership, corporation, cooperative, or joint venture: I am the duly authorized and designated representative of *[Name of Bidder]* with office address at *[Address of Bidder]*;

2. *Select one, delete the other:*

If a sole proprietorship: As the owner and sole proprietor, or authorized representative of *[Name of Bidder]*, I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for *[Name of the Project]*; of the *[Name of the Procuring Entity]*, as shown in the attached duly notarized Special Power of Attorney.

If a partnership, corporation, cooperative, or joint venture: I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for *[Name of the Project]* of the *[Name of the Procuring Entity]*, as shown in the attached *[state title of attached document showing proof of authorization (e.g. duly notarized Secretary's Certificate, Board/Partnership Resolution or Special Power of Attorney, whichever is applicable);]*;

3. *[Name of Bidder]* is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board;
4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
5. *[Name of Bidder]* is authorizing the Chairperson of Disposal Committee or its duly authorized representative(s) to verify all the documents submitted;
6. Select on, delete the rest:

If a sole proprietorship: The owner or sole proprietor is not related to the Chairperson of the Disposal Committee, members of the Disposal Committee, Secretariat, the

head of the Project Management Office or the end user unit, and the project consultants by consanguinity or affinity up to the third civil degree.

If a partnership or a Cooperative: None of the officers and members of [Name of Bidder] is related to the Chairperson of the Disposal Committee, members of the Disposal Committee, Secretariat, the head of the Project Management Office or the end user unit, and the project consultants by consanguinity or affinity up to the third civil degree.;

If a corporation or joint venture: None of the officers, directors, and controlling stockholders of [Name of Bidder] is related to the Chairperson of the Disposal Committee, members of the Disposal Committee, Secretariat, the head of the Project Management Office or the end user unit, and the project consultants by consanguinity or affinity up to the third civil degree.;

7. [Name of Bidder] complies with existing labor laws and standards; and
8. [Name of Bidder] is aware of and has undertaken the following responsibilities as a Bidder:
 - a) Carefully examine all of the Bidding Documents;
 - b) Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;
 - c) Made an estimate of the facilities available and needed for the contract to bid, if any; and
 - d) Inquire or secure Supplemental/Bid Bulletin(s) issued for the [Name of the Project].
9. [Name of Bidder] did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any disposal activity.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 20____
at _____, Philippines.

Bidder's Representative/Authorized Signatory

SUBSCRIBED AND SWORN to before me this ____ day of [month] [year] at [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. _____ and his/her Community Tax Certificate No. _____ issued on ____ at _____.

Witness my hand and seal this ____ day of *[month]* *[year]*.

NAME OF NOTARY PUBLIC

Serial No. of Commission _____
Notary Public for _____ until _____
Roll of Attorneys No. _____
PTR No. _____ *[date issued]*, *[place issued]*
IBP No. _____ *[date issued]*, *[place issued]*

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

