



**TERMS OF REFERENCE (TOR)
DISPOSAL OF SPDA PROPERTY THROUGH AN AUCTION SALE**

I. RATIONALE

Presidential Decree (PD) 1703 mandates the Southern Philippines Development Authority (SPDA) to foster and accelerate the balanced economic growth and development of the Southern Philippines by undertaking essentially developmental and economically, viable ventures within its territorial boundaries of operations. The SPDA may raise fund for the purpose of undertaking development and/or business projects of corporate, economic nature through disposal of any of its real properties as provided in Section 6 of PD 1703.

II. SPDA ASSET MANAGEMENT AND DISPOSAL COMMITTEE/ BACKGROUND/ DESCRIPTION OF THE PROPERTIES

The details/brief description and best use of subject property is hereunder stated as follows:

Location	Area/Title No.	Brief Description/Land Use
Catalunan Pequeño, Davao City	36,784 sq.m./ T-271742	The area is adjacent to the SPDA Village and Wellspring Subdivision Phase 1, both low-cost housing project. It is just few meters from the Catalunan Pequeño barangay hall and school. Formerly, the SPDA Organic Fertilizer Project. Based on the prevailing land usage in the neighborhood, the residential use would represent the highest and best use of the property.

III. MODE OF DISPOSITION AND MINIMUM BID PRICE

- a. SPDA is disposing the property on an “AS IS, WHERE-IS” basis through an auction sale. Bids may be for individual title or property of interest.
- b. The minimum acceptable Bid Price for the subject property is based on the current (2023) appraisal value of the property which is Php 23,632,977.00.
- c. The winning bidder shall pay to SPDA the approved SPDA selling price for the property within thirty (30) calendar days from issuance of the Notice of Award by SPDA. The SPDA’s selling price to be settled by the winning bidder shall be the amount of consideration to be indicated on the Deed of Absolute Sale (DOAS) by and between the parties. The payment to be rendered by the winning bidder shall be in the form of cashier’s check or manager’s check.

IV. RIGHTS AND RESPONSIBILITY OF THE PARTIES

The Winning Bidder shall:

1. Develop the property in strict compliance with:
 - a. The terms and conditions set in this TOR;
 - b. The Deed of Absolute Sale to be executed;
 - c. The development restrictions on the property in pursuance to Zoning Ordinance of Davao City and/or Davao City Planning/City Engineer’s Office; and
 - d. All other pertinent government standards such as, but not limited to, the National Building Code, the Fire Code, and other relevant laws, rules, regulations and issuances of the agencies of the National Government and the Local Government, both existing and in the future.
2. Abide by the annotations, conditions or encumbrances imposed and annotated on the title of the property, if there’s any;
3. Undertake, at its sole exclusive cost, on-site development and provide utilities, access roads, or internal road networks in the property;

4. Pay and be liable for all applicable taxes, fees and any other charges related to the acquisition, transfer and registration of the property, such as, but not limited to documentary stamp tax (DST), Creditable Withholding Tax (CWT), Transfer Tax, registration fees and other titling expenses/charge;
5. Make the necessary investigation, inspection, and verification of the property for sale to ascertain its actual condition/status of the title to the property before making an offer;
6. Assume the risk/consequences/expenses considering the following conditions:
 - a. Presence of informal settlers- The winning bidder shall assume the responsibility/expenses for the ejectment of informal settlers on the property subject of sale.
 - b. Property is still inhabited by previous owner.
 - c. Property is subject for titling- Winning bidder shall assume the risk/consequences/expenses in the continuance of the titling process of the subject property and as such, he/she shall sign the waiver and quit claim for this purpose; and
 - d. Existing easement.
7. The property is under dispute or with pending case- Any and all claims and liens annotated on the title, assessment, liabilities and/or damages, whatsoever arising from any claim, suit or litigation involving the property shall solely be assumed and borne by the winning bidder, accruing from the date of his receipt of the Notice of Award (NOA).

The SPDA shall:

1. Give the winning bidder the sole right to purchase or sell, develop, operate and manage the property, provided that the right shall be exercised subject to restrictions, and terms and conditions of the contract entered into between SPDA and the Winning Bidder. In case of resale, the buyer shall assume the obligations of the winning buyer;
2. Deliver possession of the property to the winning bidder on an “AS-IS, WHERE-IS” basis upon full payment of the selling price, the actual payment of which shall also be the date of the signing of the Deed of Absolute Sale (DOAS);
3. Deliver the tilt of the property to the winning bidder without prejudice to any annotations, conditions or encumbrances imposed or annotated thereon, if any.

The rights and responsibilities of SPDA and the Winning Bidder shall be governed by the provisions of the TOR and the Deed of Absolute Sale to be signed between two parties, in case of conflict or inconsistency between the two documents, the TOR shall prevail over the Deed of Absolute Sale.

V. BIDDING/AUCTION PROCEDURE

- A. PUBLICATION OF INVITATION TO BID- SPDA shall publish the “Invitation to Bid” in the SPDA Website (spda.gov.ph) and in conspicuous places located at the SPDA Main Office, Km, 12, Catalunan Pequeño, Davao City. This shall serve to inform and invite prospective bidders to the subject bidding.
- B. ISSUANCE OF TERMS OF REFERENCE (TOR)
- C. INSPECTION OF PROPERTY BY INTERESTED BIDDERS
- D. PRE-BID CONFERENCE – Interested bidders are invited to attend a Pre-Bid Conference to discuss the specified in the Timetable of Activities at the SPDA Main Office. Succeeding conferences with the prospective bidders shall be scheduled by the SPDA BAC Secretariat upon advice of the SPDA Asset Management and Disposal Committee/BAC prior to the submission of Bids. Any change in the Timetable of Activities, as well as resolutions and actions on the issues raised by the bidders shall be embodied in a Bid Bulletin.
- E. SUBMISSION OF BIDS – Interested bidders shall submit their bids comprising their Eligibility Documents and Financial Proposals on the date specified in the Timetable of Activities.

1. ELIGIBILITY DOCUMENTS (documentary requirements) consist of the following:

- a. For Individuals:
 1. Duly accomplished Registration Form (pro-forma attached as Annex “A”);
 2. Certified True Copy of Government Issued Identification card with photo (e.g. Driver’s license, Passport, PRC License);
 3. Bank Certification stating that the bidder is known to them and banking with them, and is in good financial and/or credit standing; and
 4. Certified True Copy of Income Tax Return for the immediately preceding calendar year, duly stamped by the BIR.
- b. For Sole Proprietorship, Partnership, Cooperative, or Cooperation.
 1. Duly accomplished Registration Form (pro-forma attached as Annex “A”);
 2. Certified True Copy of Registration Certificate from the appropriate regulatory agency (Securities and Exchange Commission, Department of Trade and Industry, or Cooperative Development Authority);

3. Certified true copy of Tax Clearance issued by BIR which has an effectivity of not earlier than the preceding quarter;
 4. Bank certification, stating that the bidder is known to them and banking with them, and is in good financial and/or credit standing;
 5. A duly notarized Board Resolution and/or Secretary Certificate, or a Special Power of Attorney issued by the bidder expressly authorizing its participation in the Bidding/Auction process, and appointing its authorized representative for this purpose, or, for sole proprietorship, a valid government-issued identification card of the Proprietor/Bidder with photo, whichever of the aforementioned is applicable.
- c. For Local Government Unit (LGU)
1. Duly accomplished registration form (pro-forma attached as Annex "A");
 2. Sangguniang Bayan Resolution, approving the purchase and the payment of the total Bid/Offer Price by the concerned LGU of the subject property and appropriating funds therefor;
 3. Sangguniang Bayan Resolution authorizing the Mayor to participate and sign Bidding/Auction Documents, sign the Deed os Absolute Sale as Vendee, for and in behalf of the LGU;
 4. Certified true copy of the two valid government-issued identification card with photo (e.g. Diver's License, Passport, PRC License, etc.) of authorized representative; and
 5. Bank certification or any proof of funds availability.
2. Final Proposal (Bid Letter) – The bidder must submit a letter in the form of Annex "B", "B-1" or "B-2", as applicable, duly signed by its authorized representative, expressly indicating the Bid Price for the property.

The Bid Price shall not less than the amount stated on the Bid Security.

The Bidder shall submit the Bid Price to be placed in a sealed envelope. The Documentary requirements, Bid/Auction Security, and Final Bid/Offer letter shall be submitted in one (1) large envelope, tightly sealed and marked as shown hereunder:

<p>TO: SPDA BIDS AND AWARDS COMMITTEE (BAC)/ASSET MANAGEMENT AND DISPOSAL COMMITTEE SEALED BID/OFFER</p> <p style="text-align: center;">DISPOSITION THROUGH AUCTION SALE OF THE PROPERTY CONSISTING OF AN AREA OF _____ LOCATED AT _____ WITH TITLE NO, _____</p> <p style="text-align: center;">NAME OF BIDDER/OFFEROR _____ COMPLETE BUSINESS ADDRESS _____</p> <hr style="border: 1px solid black;"/> <p style="text-align: center;">DO NOT OPEN BEFORE: MAY 3, 2023.</p>

VI. OPENING OF BIDS

1. On the date of Opening of Bids and Preliminary Examinations of Bids, the SPDA BAC shall open the sealed envelopes containing the Eligibility Documents to determine the completeness of documents and sufficiency of data/information provided therein.
2. Only those bidders determined by SPDA BAC during the opening of bids who have submitted complete eligibility documents shall be qualified for the opening of their Financial Proposal. Those bidders with incomplete eligibility documents shall automatically have their financial proposal returned to them unopened.
3. The SPDA BAC shall open the Financial Proposal to determine compliance with the requirements under item II of this TOR. Final/Financial Proposal that are below the minimum acceptable bid price shall be automatically be rejected, and the Bid Security shall be returned to the concerned bidder.
4. Failure of bidding – Bidding may be declared unsuccessful in any of the following cases:
 1. There is only one bidder.
 2. All bidders fail to comply with the terms and conditions prescribed in the Invitation of Bid.

VII. ELIGIBILITY CHECK, EVALUATION OF BIDS AND SELECTION OF WINNING BIDDER

A. SPDA shall adopt a two-stage evaluation process.

Stage 1. Involves the opening and preliminary examination of the Eligibility documents and the Final/Financial Proposal to determine completeness of documents submitted and sufficiency of data/information provided therein.

Stage 2. Involves the detailed evaluation of the Eligibility documents and the Final/Financial Proposal to determine the compliance with all the requirements specified under this TOR.

B. Eligibility Criteria

To be eligible, the bidder/s must satisfy all of the following requirements:

- a. **Legal capacity** – the bidder/s must be a person/s, natural and juridical, allowed under Philippine Laws to own, acquire and develop lands in the Philippines.
- b. **Compliance Commitment** – the bidder must commit to comply with:
 - 1) The terms and conditions set forth in the TOR;
 - 2) The Deed of Absolute Sale to be executed;
 - 3) The development restrictions on the property in pursuance to Zoning Ordinance of Davao City Planning/City Engineer’s Office;
 - 4) All other government pertinent standards such as, but not limited to, the National Building Code, the Fire Code, and other existing relevant laws, rules, regulations and issuances of the agencies of the National Government and Local Government.
- c. **No Default** – The Bidder, its parent company, or any of its subsidiaries, of affiliates with common control shareholdings, are not considered in default of its financial or other obligations, in any past or current project being undertaken with SPDA, or its subsidiaries, at the day of submission of bids.
- d. **Cost of Bid Documents** – the bidder/s must purchase the TOR (including bid forms and pertinent documents) for a non-refundable fee as indicated hereunder, to wit:

Bid Price of subject property	Cost of bidding documents (PhP)
500,000. and below	500.00
More than 500,000. up to 1 Million	1,000.00
More than 1 Million up to 5 Million	5,000.00.
More than 5 Million up to 10 Million	10,000.00
More than 10 Million up to 50 Million	25,000.00
More than 50 Million up to 500 Million	50,000.00
More than 500 Million	75,000.00

Only those who purchased the TOR (including bid forms and pertinent documents) shall be entitled to participate in the bidding and receive Bid Bulletins or official responses from the SPDA BAC.

- C. Bids that have satisfied all the requirement of this TOR shall be ranked based on the Bid Price. The bid proposal which has the highest proposal bid price for the property shall be declared as the highest ranked bid.

VIII. DUE DILIGENCE

SPDA is disposing the subject property strictly on “AS-IS, WHERE-IS” basis. Each prospective bidder/offeror shall be solely responsible for its own due diligence of all matters relating to this TOR and the property which may affect its valuation of the property or the nature of its proposal. SPDA shall not be responsible for any erroneous interpretation or conclusion of the bidder/offeror out of data furnished or indicated in this TOR and proposal forms, including any addenda or amendments issued by the SPDA BAC/Asset Management and Disposal Committee.

No verbal agreement or conversation with, nor any verbal clarifications from any members of SPDA BAC/Asset Management and Disposal Committee, TWG, BAC Secretariat shall affect or modify any of the terms and conditions contained in the TOR. Only amendments, supplements, or clarifications to this TOR that are set down in writing and circulated to bidder/offeror by the SPDA BAC shall be relied upon as authorized. Neither the SPDA Board, Officers, Staff, and authorized representative personnel may make representation and warranty concerning any matter affecting this bidding/auction, except for the representation and warranties of SPDA that shall be set out in the Deed of Absolute Sale for the property.

IX. BID/AUCTION SECURITY

1. The Bid bond shall be considered as deposit. The balance of the bid offer may be paid in cash or check within thirty (30) calendar days from the date receipt of the NOA.
2. The bid security of the winning bidder shall be treated as earnest money for its required payment at the time of signing of the Deed of Absolute Sale. The bid security of the other bidders shall be returned without interest upon signing of the Deed of Absolute Sale between SPDA and the Winning Bidder, unless otherwise forfeited.
3. In case of awardee's failure to pay the balance of the bid offer within the prescribed period of thirty (30) calendar days from receipt of NOA, the following procedures shall be undertaken;
 - a. The award shall be cancelled and the bid bond shall be forfeited, in favor of SPDA.
 - b. The next higher bidder who met the minimum bid price, if any, may be offered the property and required payment of the bid bond of at least 10% of the previously submitted bid offer within fifteen (15) calendar days from receipt of written advice.
 - c. The NOA shall be issued upon receipt of the bid bond, as follows:
 - 1) After approval by SPDA BAC for bid offer below 50.0 million provided that the sale will not result in a loss of 5.0 million and above.
 - 2) After approval by SPDA for bid offers of 50.0 million and above or those that will result in a loss of 5.0 million and above.
 - d. The balance of the bid offer shall be payable within fifteen (15) calendar days from receipt of NOA. Upon failure to pay the balance within the prescribed period, the award shall be cancelled and the bid bond shall be forfeited. SPDA shall move on to the next highest bidder until the last bidder who met the minimum bid price. If all participating bidders failed to comply with the payment of balance within the prescribed period, the bidding shall be considered failure and the SPDA management may cause the re-auctioned of the property and/or may dispose of the property through negotiation as may be deemed appropriate by the SPDA management.

X. POST QUALIFICATION

1. The bidder with the highest ranked bid must pass a post qualification process to verify accuracy and authenticity of all submitted documents and information, any material inconsistencies, errors or misrepresentations in the submitted documents shall be a ground for disqualification and forfeiture of the Bidder's Bid Security.
2. If the bidder with the highest ranked bid passed the post-qualification, the bidder's proposal shall be declared as the highest ranked and complying bid. The SPDA Bids and Awards Committee (BAC) shall recommend to the SPDA Board and/or authorized representative to award the contract to the winning bidder.
3. If the bidder with the highest ranked bid fails the post-qualification, the BAC shall notify the bidder of the result thereof. As a matter of Procedure, the BAC shall subject the bidder with the second highest ranked bid to undergo post-qualification process.
4. If the bidder with the second highest ranked bid passed post-qualification, the bidder's proposal shall be declared as the winning proposal. However, if the bidder with second highest ranked bid fails post-qualification, the post-qualification process shall be repeated for the bidder with the next highest ranked bid and so on, until a winning bidder is determined.

XI. FORFEITURE OF BID SECURITY.

Any of the following shall be ground for the forfeiture of the Bid Security in favor of SPDA upon certification by the SPDA BAC:

1. Any material misrepresentation, error and/or fraudulent declaration made by the bidder in the bid documents or any of the required attachments discovered at any time after the opening of bid.
2. Withdrawal or modification, whether conditional or otherwise, of the proposal after the deadline for the submission of bids;
3. Failure or refusal of the winning bidder to enter into a Deed of Absolute Sale with SPDA within the prescribed period.
4. Any judicial or extra judicial action by the winning bidder that shall delay the execution of the Deed of Absolute Sale and/or its compliance with its obligations as set out in this TOR; and
5. Any circumstances or reason that provides SPDA reasonable and valid basis to believe that the bidder is or has been rendered incapable of completing its obligation, as proposed.

- XII. ISSUANCE OF NOTICE OF AWARD** – A Notice of Award (NOA) shall be issued to the winning bidder/offeror, inviting the winning bidder/offeror to execute Deed of Absolute Sale (DOAS) within thirty (30) calendar days from receipts thereof. If the winning bidder/offeror fails to settle the balance or sign the DOAS upon full payment within the prescribed thirty (30) calendar days period, the Bid/Auction Security shall be forfeited, in favor of SPDA and the

bidder/offeror with the second highest bid/offer will be notified and invited to enter and execute a DOAS for the subject property.

The award of the property to the winning bidder/offeror may be revoked by SPDA on any of the following grounds:

1. The winning bidder/offeror has been **PREQUALIFIED** on the basis of suppressed, undisclosed or false information; and
2. The winning bidder/offeror violated the terms and conditions in the Notice of Award.

XIII. QUALIFICATIONS AND WAIVERS.

SPDA reserves the right to reject any or all bids and its decision shall be final. SPDA reserves the right to review all relevant information affecting the bidder or the proposal before the execution of the Deed of Absolute Sale. SPDA may disqualify the bidder or suspend/terminate the bidding process or declare a failure of bidding should such review uncover any misrepresentation, error, mistake or fraud in any of the submitted documents or information or evaluation which affects the substance of its proposal.

SPDA further reserves the right to call off bidding at any stage prior to the signing of the Deed of Absolute Sale and call for anew bidding under amended rules, without any liability or whatsoever to any and all the bidders. In such a case, the bid security shall be returned to the bidder.

XIV. PAYMENT OF TAXES AND FEES.

1. The payment of capital gain tax (CGT) shall be borne by SPDA to the extent of 6% of the purchase price. Any excess assessment due on the difference between the zonal value/market value per Tax Declaration and the purchase price, in case the zonal value/market value per TD is higher than the purchase price, will be for the account of the awardee. This should not, however, prevent the buyer and the SPDA to have an agreement as to who will bear the burden of paying the CGT.
2. Upon execution of the DOAS, the real property taxes, already paid by the SPDA shall be assumed by the awardee on a pro rate basis; thus, entitling the SPDA to reimbursement of the real property taxes, paid for the remaining days of the year.
3. All other taxes and fees incidental and necessary to the sale and transfer of title to the awardee will be assumed by the awardee.
4. The winning bidder shall pay to SPDA the selling price for the property within thirty (30) calendar days from issuance of the Notice of Award. The SPDA's selling price to be settled by the winning bidder shall be the amount of consideration to be indicated on the Deed of Absolute Sale between the parties.

XV. DISQUALIFICATION AND WITHDRAWAL OF BIDS.

1. Non-compliance with any of the requirements prescribed will constitute a ground for disqualification.
The following bids are considered defective:
 - a. Bids not in the prescribed form;
 - b. Unsigned bids;
 - c. Bids with erasures or interlineations that are not initialed;
 - d. Bids with incomplete documentations;
 - e. Insufficient bid bond.
2. A bidder may be allowed to withdraw a bid before the opening of bids without forfeiture of the bid bond. The bid envelope shall be returned unopened. If the bidder, upon opening of the bid, withdraws his/her bid, or upon evaluation of his/her winning bid, refuses to accept the award, his/her bid bond shall be forfeited in favor of SPDA.

XVI. APPEAL

A bidder determined as disqualified and/or whose bid has been found non-complying may file an appeal in writing (Notice of Appeal) to the SPDA Chairman of the BAC. The appeal must be filed within seven (7) calendar days from receipt of bid bulletin containing the questioned resolution. The Notice of Appeal shall be accompanied by a sworn statement and corresponding payment of a non-refundable appeal fee in the amount of Ten Thousand (PHP10,000.00), in the form of manager's check.

The bidding process will be suspended for a maximum period of thirty (30) calendar days while the appeal is being evaluated. The decision of the SPDA management upon recommendation of the BAC shall be final and executory.

XVII. CONFIDENTIALITY OF BIDS.

All bids and accompanying documents shall be treated as confidential. Both parties shall hold any and all confidential information in strict adherence and will not disclose or use any confidential information or any part of it except for the proper performance of the party's obligation under the TOR.

XVIII. WAIVER OF RIGHT TO SEEK LEGAL REMEDIES

SPDA, its Board of Directors, Officers, Staff and authorized representatives shall be held free and harmless from any liability, costs and expenses arising from the participation by the bidders in this bidding process. All bidders, in participating in the bidding, waive all rights to seek legal action (e.g. temporary restraining order, lawsuits, etc.) to prevent SPDA from awarding and executing a contract with the winning bidder or against any decision of the SPDA in connection with the evaluation, award, suspension or termination of the bidding process.

XIX. NO CONTACT POLICY

The bidders, their Directors and Officers are prohibited from communicating with or contacting, directly or indirectly, any of SPDA's Board of Directors, Officers, staff, and authorized representative on matters concerning the bidding for the entire duration of the bidding process except for queries and clarifications of proposal which must be done in writing and addressed to the SPDA BAC Chairman.

The bidder/s shall not offer or give, directly or indirectly, any amount, benefit or advantage to any member of the SPDA Board of Director, Officers, staff or authorized representative. Violation of this policy shall be a ground for disqualification, revocation of the award, if any, without prejudice to damages that SPDA may recover for any loss or damage that may result therefrom.

XX. REQUEST FOR CLARIFICATIONS – All relevant inquiries and concerns shall be raised in writing addressed to:

MR. MUNAP H. PACIO

Deputy Administrator

Chairman, Bids and Awards Committee

Chairman, SPDA Asset and Management and Disposal Committee

SPDA Main Office, Km. 12, Catalunan Pequeño, Davao City

All clarifications and inquiries on the submission of Bids should be received by the SPDA Bids and Awards Committee on or before the date specified in this TOR.

Conforme:

Name of Bidder
(Signature over printed name)

Individual

Partnership*

Corporation

*Authorization on the designation of representative attached.

Date

"A Corporate Vehicle for Peace and Development in Mindanao"

Main Office: Room 24B, 24th Floor One San Miguel Building, San Miguel Ave. corner Shaw Blvd., Ortigas Center, Pasig City
Telefax No. (02) 810.8481 Email: info-mlo @spd.gov.ph/spdamlo2021@gmail.com

(For Individual)

Republic of the Philippines
City of _____ s.s.

REGISTRATION FORM

I (Name of Bidder), of legal age, (Nationality), with residence address at _____
Under oath, hereby depose and say THAT:

1. I am interested in the bidding/auction for the sale of the _____
(_____) square meters located at _____;
2. In compliance with the documentary requirements, copies of the following documents are hereby attached:
 - a. Duly accomplished Registration Form (Pro-forma attached as Annex "A");
 - b. Certified true copy of two (2) valid government issued identification card with photo (e.g. Driver's license, passport, PRC License);
 - c. Certificate from at least one (1) highly reputable Savings/Commercial/Universal Bank, legally operating within the Philippines stating that the bidder/offeror is known to them, banking with them, and is in good financial and/or credit standing; and
 - d. Certified true copy of income tax return for the immediately preceding calendar year, duly stamped received by BIR.
3. I commit to abide by the decision of Southern Philippines Development Authority (SPDA) Bids and Awards Committee (BAC), waive my right to seek legal remedies against SPDA BAC free from any liability, costs, and expenses, suit or allegation arising from my participation in this bidding process.
4. All information in this statement, including attachment and enclosures, are true and correct. Any falsity, error, or misrepresentation of award as determined by SPDA BAC;
5. I shall not attempt to establish any contact with any of the SPDA BAC, TWG, BAC Secretariat and SPDA Asset Management and Disposal Committee on matter concerning the bidding from the date of the submission of the bids up to the conclusion of the bidding process, except for clarification on proposal which must be made in writing and addressed to SPDA BAC through its Chairman.
6. I have neither given nor offered, nor will I give nor offer, directly or indirectly, any bribe or other improper payment or advances to any Executive, Officers and employees of SPDA, nor engage in any of the acts prohibited under R.A. 3019, otherwise know as the "Anti-Graft and Corrupt Practices Act", as amended
7. Violation of any of the foregoing shall be ground for my disqualification from the bidding or revocation of the award, if any, without prejudices to damages that SPDA may recover for any loss or damage that may result therefrom;
8. I am not involved in any money laundering activity as defined by the Anti-Money Laundering Act of 2001 (R.A. 9160);
9. I am not related up to fourth degree of consanguinity or affinity to any of the SPDA Executives, Officers and Employees; and
10. I authorized SPDA BAC, TWG or its authorized representative to conduct investigation and verification of the statements, documents and information submitted to my bid.

SIGNED this _____ day of _____ 2023 at _____, Philippines.

Affiant

SUBSCRIBED AND SWORN TO before me this _____ day of _____ 2023, affiant exhibiting to me his/her competent evidence of identity (e.g. passport, drivers' license, etc.) _____ issued at _____ Philippines on _____.

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(For Sole Proprietorship, Partnership, Cooperative or Corporation)

Republic of the Philippines
 City of _____ s.s.

REGISTRATION FORM

I, (Name of Bidder/Authorized Representative), of legal age, (Nationality), with address at _____ under oath, hereby depose and say THAT:

1. The (Name of the Bidder) is interested in the bidding/auction for the sale of the _____ (_____) square meters lot located at _____;
2. I am the (designation) of the bidder, duly authorized to make this statement for and on its behalf;
3. In compliance with the documentary requirements, copies of the following documents are hereby attached:
 - a. Duly accomplished Registration Form (Pro-forma attached as Annex "A-1");
 - b. Certified true copy of Registration Certificate from the appropriate regulatory agency (Securities and Exchange Commission, Department of Trade and Industry, Cooperative Development Agency);
 - c. Certificate from at least one (1) highly reputable Savings/Commercial/Universal Bank, legally operating within the Philippines stating that the bidder/offeror is known to them, banking with them, and is in good financial and/or credit standing; and
 - d. Certified true copy of Tax Clearance issued by BIR which has an effectivity of not earlier than the immediately preceding quarter
 - e. A duly notarized Board Resolution and/or Secretary Certificate, or a Special Power of Attorney issued by the bidder expressly authorizing its participation in the bidding/auction process, and appointing its authorized representative for this purpose, or, for sole proprietorship, a valid government-issued identification card of the proprietor/bidder with photo, whichever of the aforementioned is applicable.
4. The bidder commits to abide by the decision of Southern Philippines Development Authority (SPDA) Bids and Awards Committee (BAC), waive my right to seek legal remedies against SPDA BAC free from any liability, costs, and expenses, suit or allegation arising from my participation in this bidding process.
5. All information in this statement, including attachment and enclosures, are true and correct. Any falsity, error, or misrepresentation of award as determined by SPDA BAC;
6. The bidder, its Director, Officers and staff or any representative thereof shall not attempt to establish any contact with any of the SPDA BAC, TWG, BAC Secretariat and SPDA Asset Management and Disposal Committee on matter concerning the bidding from the date of the submission of the bids up to the conclusion of the bidding process, except for clarification on proposal which must be made in writing and addressed to SPDA BAC through its Chairman.
7. The bidder, its Director, Officers and staff or any representative have neither given nor offered, nor will it give nor offer, directly or indirectly, any bribe or other improper payment or advantage to any Executive, Officers and employees of SPDA, nor engage in any of the acts prohibited under R.A. 3019, otherwise known as the "Anti-Graft and Corrupt Practices Act", as amended
8. Violation of any of the foregoing shall be ground for my disqualification from the bidding or revocation of the award, if any, without prejudices to damages that SPDA may recover for any loss or damage that may result therefrom;
9. The bidder is not involved in any money laundering activity as defined by the Anti-Money Laundering Act of 2001 (R.A. 9160);
10. The bidder authorizes SPDA BAC, TWG or its authorized representative to conduct investigation and verification of the statements, documents and information submitted to my bid.

SIGNED this _____ day of _____ 2023 at _____, Philippines.

 Affiant

SUBSCRIBED AND SWORN TO before me this _____ day of _____ 2023, affiant exhibiting to me his/her competent evidence of identity (e.g. passport, drivers' license, etc.) _____ issued at _____ Philippines on _____.

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(For Local Government Unit)

Republic of the Philippines
 City of _____ s.s.

REGISTRATION FORM

I, (Name of Bidder/Authorized Representative), of legal age, (Nationality), with address at _____ under oath, hereby depose and say THAT:

1. The (Name of the Bidder) is interested in the bidding/auction for the sale of the _____ (_____) square meters lot located at _____;
2. I am the (designation) of the bidder, duly authorized to make this statement for and on its behalf;
3. In compliance with the documentary requirements, copies of the following documents are hereby attached:
 - a. Duly accomplished Registration Form (Pro-forma attached as Annex "A-2");
 - b. Sangguniang Bayan Resolution approving the purchase and the payment of the total bid price by the concerned LGU for the acquisition of real estate properties, consisting of _____ (_____) square meters located at _____ covered by TCT No. _____ and appropriating funds thereof;
 - c. Sangguniang Bayan Resolution authorizing the Mayor to participate and sign bidding/auction documents, sign the Deed of Absolute Sale as Vendee, for and on behalf of the LGU;
 - d. Certified true copy of two (2) valid government -issued identification card with photo (eg. Driver's license, passport, PRC Licenses, etc.);
 - e. Bank certification or any proof of funds availability.
4. The bidder commits to abide by the decision of Southern Philippines Development Authority (SPDA) Bids and Awards Committee (BAC), waive my right to seek legal remedies against SPDA BAC free from any liability, costs, and expenses, suit or allegation arising from my participation in this bidding process.
5. All information in this statement, including attachment and enclosures, are true and correct. Any falsity, error, or misrepresentation of award as determined by SPDA BAC;
6. The bidder, its Officers and staff or any representative thereof shall not attempt to establish any contact with any of the SPDA BAC, TWG, BAC Secretariat and SPDA Asset Management and Disposal Committee on matter concerning the bidding from the date of the submission of the bids up to the conclusion of the bidding process, except for clarification on proposal which must be made in writing and addressed to SPDA BAC through its Chairman.
7. The bidder, its Officers and staff or any representative have neither given nor offered, nor will it give nor offer, directly or indirectly, any bribe or other improper payment or advantage to any Executive, Officers and employees of SPDA, nor engage in any of the acts prohibited under R.A. 3019, otherwise known as the "Anti-Graft and Corrupt Practices Act", as amended
8. Violation of any of the foregoing shall be ground for my disqualification from the bidding or revocation of the award, if any, without prejudices to damages that SPDA may recover for any loss or damage that may result therefrom;
9. The bidder is not involved in any money laundering activity as defined by the Anti-Money Laundering Act of 2001 (R.A. 9160);
10. The bidder authorizes SPDA BAC, TWG or its authorized representative to conduct investigation and verification of the statements, documents and information submitted to my bid.

For this purpose, the bidder hereby authorizes any public office, or any person or firm to furnish pertinent information deemed necessary and requested by SPDA to verify statements and information provided in this statement.

SIGNED this _____ day of _____ 2023 at _____, Philippines.

 Affiant

SUBSCRIBED AND SWORN TO before me this _____ day of _____ 2023, affiant exhibiting to me his/her competent evidence of identity (e.g. passport, drivers' license, etc.) _____ issued at _____ Philippines on _____.

NOTARY PUBLIC

Doc No. _____
 Page No. _____
 Book No. _____
 Series of 2023 _____

FINAL BID/OFFER-LETTER
(For Individual)

Date

MR. MUNAP H. PACIO
Deputy Administrator
Chairman, BAC/Asset Management
and Disposal Committee
SPDA Main Office, Km. 12
Catalunan Pequeño, Davao City

Sir:

In connection with the bidding for the auction sale of real estate property, consisting of an area of _____ (_____) square meters lot located at _____, Philippines, covered by TCT No. _____; I hereby formally propose a Bid Price for the above-mentioned property, in the amount of _____ (Php_____).

I understand that, should I be declared the winning bidder, I shall, upon signing of the Deed of Absolute Sale with the Southern Philippines Development Authority (SPDA), immediately effect full payment for the subject property.

Submitted by:

Name and signature of the bidder

Official address

FINAL BID/OFFER-LETTER
(For Sole Proprietorship, Partnership, Cooperative or Corporation)

Date

MR. MUNAP H. PACIO
Deputy Administrator
Chairman, BAC/Asset Management
and Disposal Committee
SPDA Main Office, Km. 12
Catalunan Pequeño, Davao City

Sir:

In connection with the bidding for the auction sale of real estate property, consisting of an area of _____ (_____) square meters lot located at _____, Philippines, covered by TCT No. _____; our company (state the name of the company) hereby formally propose a Bid Price for the above-mentioned property, in the amount of _____ (Php_____).

I understand that, should our company be declared the winning bidder, we shall, upon signing of the Deed of Absolute Sale with the Southern Philippines Development Authority (SPDA), immediately effect full payment for the subject property.

The undersigned hereby affirms that I am duly authorized by the company to make this proposal for and on its behalf.

Submitted by:

Name and signature Authorized Representative

Position

FINAL BID/OFFER-LETTER
(For Local Government Unit)

Date

MR. MUNAP H. PACIO
Deputy Administrator
Chairman, BAC/Asset Management
and Disposal Committee
SPDA Main Office, Km. 12
Catalunan Pequeño, Davao City

Sir:

In connection with the bidding for the auction sale of real estate property, consisting of an area of _____ (_____) square meters lot located at _____, Philippines, covered by TCT No. _____; Local Government Unit of _____ hereby formally propose a Bid Price for the above-mentioned property, in the amount of _____ (Php _____).

I understand that, should the LGU be declared the winning bidder, we shall, upon signing of the Deed of Absolute Sale with the Southern Philippines Development Authority (SPDA), immediately effect full payment for the subject property.

The undersigned hereby affirms that I am duly authorized by the LGU of _____ thru Sangguniang Bayan Resolution No. _____ to make this proposal for and on its behalf.

Submitted by:

Name and signature of the bidder

Official address