

INVITATION TO NEGOTIATE AND SUBMIT OFFER (Negotiated Sale Process)

The Power Sector Assets and Liabilities Management (PSALM) Corporation Privatization Bids and Awards Committee (PBAC) invites interested parties to negotiate and submit offers for the sale of the Paco-Manila Property located in Isla de Provisor, Paco, Manila.

The Minimum Offer Price for the Paco-Manila Property in this negotiated sale is **Four Hundred Fifty-Eight Million Three Hundred Thirty-Seven Thousand Two and 30/100 Philippine Pesos (PHP 458,337,002.30)**. The Financial Offer of the Interested Party with the Highest Offer must be equal to or higher than the Minimum Offer Price in order to qualify as the Winning Interested Party.

Subject of the Bid

Project Reference Number	Asset	Location	No. of Lots	Indicative Area (sq. m.)
PBAC-REA-NS-PMP-202-001-04	Paco-Manila Property	Isla de Provisor, Paco, Manila	8	20,975

Offer Security. The Offer Security shall be in an amount equal to at least ten percent (10%) of the Financial Offer of the Interested Party, and shall be in the form of cashier's or manager's check, stand-by letter of credit issued by any commercial or universal bank licensed to do business and operating in the Philippines, or surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.

Terms of Payment. Within ten (10) Business Days from the date of the Notice of Award, the Winning Interested Party shall make a one-time full payment of the Purchase Price in accordance with the payment instruction to be issued by PSALM.

Other Terms and Conditions

- a. The sale is on an "as is, where is" basis.
- b. The Negotiation is open to individuals/sole proprietorships, corporations, cooperatives, or partnerships duly registered and organized under the laws of the Philippines and at least 60% Filipino-owned, joint ventures or consortiums, government corporate entities and Local Government Units (LGUs) authorized by law to acquire, own, hold, or develop real properties in the Philippines.

- c. Interested Parties may download the Negotiation Package at the PSALM website (<https://www.psal.gov.ph>) and will be available starting 11 November 2020 until two (2) Business Days prior to Offer Submission Deadline. Alternatively, electronic copies of the Negotiation Package may be sent by PSALM through electronic mail to Interested Parties. The Negotiation Package shall include the Negotiation Procedures and Property Profile.
- d. The Winning Interested Party shall pay for all applicable taxes, licenses, fees, and charges due on the sale transaction, and all unpaid taxes, fees, and/or expenses, such as, but not limited to, capital gains tax or creditable withholding tax, whichever is applicable, documentary stamp tax, registration and transfer fees, and all other expenses and charges, as applicable, to cause the transfer of the title to the Winning Interested Party.

An Interested Party, its parent company, stockholders, subsidiaries, affiliates, directors or officers, or any of their relatives within the fourth civil degree of consanguinity or affinity, legitimate or common law, who has any conflict, dispute, or unsettled issue with PSALM, DOE, DOF, NPC, or TRANSCO, or who has a pending litigation case or arbitration case against PSALM, DOE, DOF, NPC, or TRANSCO, arising out of any issue, contractual obligation, or any matter relating to the EPIRA or its Implementing Rules and Regulations, are disqualified from participating in this negotiated sale process. Such disqualification also covers a scenario where there is:

- (i) any unresolved issue arising from contracts or renegotiation of contracts with Independent Power Producers; and
- (ii) any unpaid account arising from contractual obligations with PSALM, DOE, DOF, NPC, or TRANSCO.

Those who were previously disqualified from participating in other bidding or negotiated sale activities of PSALM by reason of fraudulent acts or those who committed fraud or breach in the provisions of any agreement with PSALM are also disqualified to participate in this negotiated sale process.

The schedule of the negotiated sale activities shall be as follows:

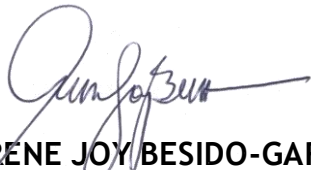
Due Diligence	: 12 November 2020 until two (2) business days prior to Offer Submission Deadline
Pre-Negotiation Conference	: 19 November 2020, 2:00 p.m. through video conferencing or webcasting
Offer Submission Deadline	: 02 December 2020, 12:00 noon at the PSALM Office

References to the dates and times shall be based on Philippine Standard Time. Should any of the above dates fall on a holiday, the deadline shall be extended to the same time of the immediately succeeding business day in Quezon City.

A two-envelope system will be adopted. Interested Parties will be required to post an offer security equivalent to at least **Ten Percent (10%) of the Financial Offer** in the form of manager's check or cashier's check, an irrevocable letter of credit issued by any commercial or universal bank licensed to do business and operating in the Philippines, or surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.

Inquiries such as requests for clarification shall be addressed to the Chairperson, PBAC and emailed to the PBAC Secretariat at pbacsecretariat@psalm.gov.ph.

The PBAC reserves the right to accept or reject any interested party's proposals or offers, or any part thereof, and/or to waive any defects contained therein and accept the offer advantageous to the Government, without offering any reason whatsoever. It does not assume any obligation to compensate or indemnify parties for any expense or loss that they may incur as a result of their participation in the negotiated sale process, nor does it guarantee that an award will be made. Finally, it reserves the right to modify, supplement, or change the Negotiation Procedures and other aspects of the negotiated sale process at any time, including the schedule and the venue provided herein, for any reason whatsoever and without giving prior notice. Interested parties will be notified subsequently of such modifications, supplements, or changes.



IRENE JOY BESIDO-GARCIA
Chairperson
PSALM Privatization Bids and Awards Committee
(11, 12, & 13 November 2020)