

## **BIDDING RULES AND PROCEDURE**

### **Procedure on how to participate in the Bidding**

1. After conducting due diligence on the property, the interested bidder must submit the accomplished Bid Form and Managers Check (MC) representing the reservation fee in a **sealed envelope**. **The property code and the email address of the bidder** must be indicated at the back portion of the envelope.
2. The email address indicated on the envelope will be used for the Pre-Bid Conference which shall be conducted one week from the last publication.
3. Those who want to attend the Pre-Bid Conference but have not yet submitted their Bid Form, must inform AMDD of their intention by sending an email to [preownedproperties@ucpb.com](mailto:preownedproperties@ucpb.com).
4. The sealed envelope must be dropped at the designated Bid Box located at *14<sup>th</sup> Floor, UCPB Corporate Offices, 7907 Makati Avenue, Makati City*.
5. Those who cannot physically submit the Bid Form and the MC may scan them and email the electronic copy to [preownedbidding@ucpb.com](mailto:preownedbidding@ucpb.com). The subject of the email **must indicate the Property Code** for identification.
6. All sealed bids must be received by AMDD on or before the **20<sup>th</sup> day** from the date of the last publication.

### **Bid Rules**

#### **A. General Terms and Conditions**

1. All interested bidders are required to conduct due diligence on the property. Inspection of properties (for properties with possession), list of requirements and terms of payment, Bid Rules and Forms may be requested from UCPB's Asset Management and Disposition Division (AMDD) by sending an email to [preownedproperties@ucpb.com](mailto:preownedproperties@ucpb.com).
2. Bids shall be subject to UCPB Management's approval.
3. Creditable Withholding Tax (CGT) will be shouldered by the Bank up to the extent of the purchase price. Any excess shall be for Bidder's account.
4. Documentary Stamps Tax, Registration Fees, transfer fees and other incidental expenses relative to the transfer of title(s) to Bidder's name shall be for Buyer's account. Bidder will handle the application for and processing of the transfer of title(s) with the Bureau of Internal Revenue and Registry of Deeds.
5. UCPB is selling the property based on the technical description and area appearing on the Transfer/Condominium Certificate of Title. It does not give any warranty as to the actual floor area lot area
6. The sale excludes furniture, fixtures and other movable items found within the premises of the subject property(ies).
7. Upon turn-over of property, the Bidder shall pay the pro-rata share on real estate tax, insurance premium and association dues, if any, which were paid in advance by the Bank.

#### **B. Submission of the Bids and Requirements**

1. A duly accomplished Bid Form and Managers Check (MC) for the reservation fee must be submitted to AMDD within twenty (20) days from the date of last publication.
2. Incomplete bids shall not be considered and the bidder shall be disqualified.
3. Any bids received after the deadline will no longer be accepted.
4. The bidder must consider an allowance for the period of transmission of the sealed envelope. Bidder should ensure that submitted bid is duly received by AMDD representative within the deadline of submission.
5. Bidders who are outside the Philippines may participate by submitting an electronic copy of the Bid Form and MC to [preownedbidding@ucpb.com](mailto:preownedbidding@ucpb.com) or his/her representative may submit the bid in a sealed envelope together

with the MC to UCPB's Bid Box located at AMDD 14<sup>th</sup> Floor Head Office. The property code and email address must be indicated at the back portion of the envelope, which must be stamped with the date and time of receipt by AMDD's associate before it is dropped in the Bid Box.

6. For purposes of submission of bids, an authorization letter may be accepted for those bidders who will submit their bids through a representative. A Special Power of Attorney (SPA) must be submitted in case the said bidder is declared as the highest Bidder. If the bidder is based abroad, the SPA must be consularized or authenticated via Apostille.
7. If the Bidder has a broker or agent, the broker or agent must ensure that he/she is accredited with UCPB's AMDD or has at least submitted the application and requirements for accreditation at the time of submission of the bid. The broker or agent must sign in the Bid Form.
8. If the Bidder is referred by a UCPB associate, the UCPB Associate must also sign in the Bid Form and submit the accomplished Employee's Sales Referral Incentive Form. The employee's incentive is subject to the existing guidelines approved by the Asset Committee.

#### **C. Reservation Fee**

1. The reservation fee amounting to Php50,000.00 per property must be in a form of a Managers Check payable to UCPB-AMDD to be attached in the Bid Form and to be submitted to UCPB-AMDD in a sealed envelope. In case of submission through email, a scanned copy of the MC must be sent to [preownedbidding@ucpb.com](mailto:preownedbidding@ucpb.com).
2. The reservation fee shall form part of the Purchase Price should the Bid be declared as the highest and approved by the Management. However, in case the bidder withdraws his offer upon approval, the reservation fee shall be forfeited in favor of the Bank.
3. The reservation fee shall be deposited upon the Management's approval of the highest bid.
4. The reservation fee of the losing bidder/s shall be returned to them, without interest within fourteen (14) banking days from the announcement of the results of the bidding.

#### **D. Modification/Withdrawal**

1. All Bids received shall be considered as final.
2. In case the bidder decides to amend or change his bid, the latest bid received by AMDD shall be considered as the final bid and the prior bid submitted shall be considered as cancelled.
3. The revised Bid Form must be received by AMDD within the original deadline for submission of bids. In case the revised bid is received by AMDD after the deadline, the original bid shall be considered as the final bid.
4. All erasures must have the signature of the bidder or his/her authorized representative.
5. All withdrawals or cancellations of Bids must be in writing and similarly sent personally to AMDD's Office or via email to "preownedproperties@ucpb.com".

#### **E. Opening of the Bids**

1. All bids including those successfully received through email will be opened on the next banking day after the deadline of submission. If the date of the opening of the bids is declared as a holiday or there is no work due to an unforeseen event, the opening of the bids shall be held on the following banking day.
2. The opening and tabulation of the bids will be facilitated by a representative from the Bank's Internal Audit Department, an officer from AMDD's Operation and Marketing Officer/s from the Marketing Real Estate Unit together with the Marketing Associates.
3. A UCPB officer from Internal Audit Department will open the sealed bid one by one and tabulate it together with the electronic bids.

4. A summary and minutes of the meeting shall be prepared and signed by all of those UCPB associates present during the bid opening.
5. The highest bid will be announced on the same day. Bids declared as the highest bid will be subject to Management's approval.
6. Minutes of the meeting will be prepared and will be signed by all attendees.

**F. Pre-Bid Conference via MS Teams**

1. The Pre-Bid Conference shall be conducted one week after the date of last publication.
2. Bidders who wish to participate personally or through a representative must download the MS Teams application and must have an email address.
3. Only those with submitted Bids before the Pre-Bid Conference may be invited by the Bank. For those Bidders who have yet to submit their Bids but would like to participate in the Pre-Bid Conference must inform the Bank by sending an email to [preownedproperties@ucpb.com](mailto:preownedproperties@ucpb.com).
4. Bidders must join the video conference at the specified time designated in the Microsoft Teams invite.

**G. Highest Bidder and approval of the Bid**

1. The highest, second and third highest Bidders, if any, shall be marked in the tabulation. In case the highest bidder withdraws from his bid or did not comply with the requirements or did not meet the required income for the credit ratio, the next highest bidder shall be considered.
2. The result of the Bidding shall be announced on the next banking day from the last submission of the bids. Bidders will receive either an email/SMS message from UCPB-AMDD.
3. The highest Bidder will be asked to submit the requirements within **one week** from the announcement of the result for further evaluation.
4. The result of the bidding will be presented to management for approval. Upon approval, the highest bidder will receive an official Notice of Approval from the Bank.
5. ***UCPB reserves the right to reject an offer, to waive any of the rules stipulated herein or to accept any offer which it may deem to be most advantageous to the Bank.***

**H. If the Bidder is the previous owner, the following rules shall apply:**

1. The payment may be on cash or installment basis. If on installment basis, a down-payment of at least 30% of the purchase price shall be required and the balance must be paid within 5 years.
2. There must be no deficiency claim filed by the Bank.
3. The bidder must reimburse the Bank for advances such as property tax, insurance (in any), condominium or HOA dues.
4. The bidder must pay compensation damages (rental) from expiration of redemption period.
5. If the bidder or a third-party has filed an action to annul the bank's acquisition of the property, the bidder or third-party claimant must withdraw or cause the dismissal of the case.

**I. Failure of Bidding or in case of a Tie**

1. The bidding shall be considered a failed bidding if the bids are lower than the minimum bid price or if there are no bidders.
2. In case there is only one (1) bidder and the offered price is the minimum bid price, the bid will be evaluated and recommended to Management for final approval.
3. In case of a tie in the offered price, the Bank shall conduct another sealed bidding and AMDD shall schedule the date for the submission of the sealed bids.