



ASSET RECOVERY  
BUREAU

Malta

## *Sale by Tender*

*Sale by Tender ‘Tale Quale’ of:*

*One (1) Marine Vessel*

*One (1) Motor Vehicle*

*[ARB/41/2020]*

**Closing date for submissions: Tuesday 17th August 2021 at noon**

### **1 Introduction**

1.1 The Asset Recovery Bureau (hereinafter referred to as the Contracting Authority) is an independent body established under the Proceeds of Crime Act (Chapter 621 of the Laws of Malta).

### **2 Objective**

2.1 The Asset Recovery Bureau invites interested parties (hereinafter also referred to as the applicants) to submit offers for the sale ‘tale quale’ of one (1) marine vessel and one (1) motor vehicle (hereinafter referred to as the Asset), in line with the Proceeds of Crime Act

2.2 The applicants may bid for any lot or lots listed hereunder and may withdraw any application for the lot or lots, as many times as they respectively see fit, prior to the closing of the call.

### 3 Asset Catalogue

#### Asset 1

##### 3.1. Details:

- i. **Make:** Fletcher
- ii. **Model:** Arrowhawk 18
- iii. **Year of Manufacture:** 1995
- iv. **Engine Model:** Johnson
- v. **Engine Power:** 150 BHP
- vi. **Reserve Value:** €2,800
- vii. **New Registration required.**

##### 3.1.1. General Product Description:

- The top part of the hull is in good condition.
- The bottom part of the hull is also in a good condition; however, some minor scattered gelcoat chips and scratches can be seen.
- The trailer is included in the price.



## Asset 2

### 3.2. Asset 2 Details:

- i. **Make:** Fiat
- ii. **Model:** Uno Hatchback
- iii. **Year of Manufacture:** 1990
- iv. **Engine:** 999cc
- v. **Mileage:** 143,076 M
- vi. **Reserve Value:** €300
- vii. **Licensing:** Garaged



#### 3.2.1. General Product Description:

- The paint of the vehicle is in good condition and the body of the vehicle is in a fair condition.
- The vehicle is in a drivable condition and from a mechanical perspective, the vehicle is in a fair state.
- The vehicle is also considered as a classic vehicle therefore it may be registered and licensed as such.



## 4 Terms and Conditions

- 4.1 Interested applicants are to submit their offer or offers as per the stipulations of Section 6 below and by filling in Annex I - **Submission Form** together with a part payment provisional fee of €100 payable by cheque or cash. Part payments provisional fees shall be cancelled and/or reimbursed to the participants who are not awarded the sale by tender.
- 4.2 Interested applicants shall participate at their own expense and shall provide for all that it is required including but not limited to the collection of the asset/s. The Asset Recovery Bureau shall not reimburse any fee associated with the preparation of tender documents, including the part payment participation fee in the event that the successful applicant after being awarded the sale by tender does not proceed to pay the amount offered in the application within the timeframes listed in clause 4.5.
- 4.3 Once the tender is awarded to the successful applicant, the applicant shall be solely responsible for the collection of the asset/s, for the provision of adequate insurance (where applicable), for any damages caused to the Asset Recovery Bureau's premises and/or any other good/s in the possession of the Asset Recovery Bureau and for the transporting of the vehicle/s out of any other premises indicated by the Asset Recovery Bureau.
- 4.4 Care has been taken to ensure the accuracy of Section 3 – Asset Catalogue, however the sale/s shall not be invalidated by any reason of any defect or faults in any of the lot erroneously included or not included in the description of the assets in Section 3. The Asset Recovery Bureau is not providing warranty as to the conditions of the assets and the awarded applicant shall accept every lot with all faults and errors of description. All information in Section 3 is based on the description provided by technical experts. Independent valuations have been carried out in order to ascertain the asset value.
- 4.5 Each asset shall be at the awarded applicant's risk as from the date of the award and the amount stipulated in the application must be paid in full within 5 working days from the date of successful notification of the award via cheque or cash and must also be collected within five (5) days from the **confirmation of sale** as communicated by the Asset Recovery Bureau provided that payment by the awarded applicant has been affected in toto.
- 4.6 If the asset is not collected by the awarded applicant within the stipulated time frame, the Asset Recovery Bureau shall be entitled to deliver the asset to the premises of the

awarded applicant at the risk and cost of the same applicant and the Asset Recovery Bureau shall not be responsible for any expense of such removal or any damage or destruction or loss thereby occasioned.

- 4.7 Upon failure to comply with the above payment conditions, the part payment participation fee shall not be reimbursed to the awarded applicant and the assets in question will be awarded to the next best ranked applicant following the expiration of the time frames listed in clause 4.5. The conditions under clause 4.2 shall also apply to the next best ranked applicant.
- 4.8 The successful applicant will be responsible for all the fees and taxes associated with the sale and transfer of the asset including but not limited to any registrations, taxes and statutory licensing and/or insurance requirements.
- 4.9 In the event that the reserve price indicated in clause 3.1 and clause 3.2 is not met by the closing time of the sale by tender, the Asset Recovery Bureau reserves the right to cancel the sale by tender and to publish a new sale by tender. At its own discretion and notwithstanding the above, the Asset Recovery Bureau also reserves the right to accept a bid that is lower than the reserve price, provided that the Asset Recovery Bureau deems the bid to be of a similar amount to the Reserved Price.
- 4.10 In the event of offers of equal monetary value that meet or exceed the reserve value, the tender award shall be granted to the applicant that submitted the earliest offer as indicated and evidenced on the Receipt of the Submission of the Offer. In all other cases, the tender will be awarded to the highest bid submitted that exceeds the reserve price at the time of closing of this tender.
- 4.11 The Asset Recovery Bureau reserves the right to maintain the validity of any offers submitted for a period of ten (10) days after the deadline for submission of offers.
- 4.12 In the event that the Asset Recovery Bureau does not receive any applications, the Asset Recovery Bureau reserves the right to cancel this sale by tender.
- 4.13 It is the interested applicant's responsibility to ensure that the offer is received by the Asset Recovery Bureau within the stipulated deadline.
- 4.14 Any attempt by any applicant to obtain confidential information, enter into unlawful agreements with competitors and/or influence the Asset Recovery Bureau evaluators during the process of examination, clarification, evaluation and comparison of the offers will lead to the rejection of his/her offer.

- 4.15 Upon the submission of an offer, the applicant is declaring that s/he is not affected by any potential conflict of interest or subject to any court order issued by any Maltese Court.
- 4.16 The Asset Recovery Bureau reserves the right to cancel the sale by tender and reject all the offers that had been received and is not bound to provide a reason or defray any cost incurred in the submission of an offer excluding the part payment provisional fee of €100.
- 4.17 The Asset Recovery Bureau also reserves the right to cancel the sale by tender and initiate a new sale by tender. In the event of the cancellation of the sale by tender, the Asset Recovery Bureau will not be held liable for any damages, whatever their nature in relation to the cancellation of the tender.
- 4.18 Clarifications are to be forwarded in writing on [assetmanagement.arb@gov.mt](mailto:assetmanagement.arb@gov.mt) by not later than Friday 13<sup>th</sup> August 2021.

## 5 Viewing

The Assets shall be available for viewing by appointment via telephone on 22261200 or via an Email to [assetmanagement.arb@gov.mt](mailto:assetmanagement.arb@gov.mt) on the following dates:

**Wednesday 11<sup>th</sup> August 2021 from 09:00 – 13:00**

**Thursday 12<sup>th</sup> August 2021 from 09:00 – 13:00**

**Friday 13<sup>th</sup> August 2021 from 09:00-13:00**

## 6 Submissions

- 6.1 Interested applicants are invited to fill in and endorse the Submission Form together with part payment provisional fee by cheque amounting to €100 (cash or cheque), and to **submit this form by hand** at the **Asset Recovery Bureau Offices** (*Opening hours: Monday to Friday, 08:00hrs till 14:00hrs*) situated at *72, Market Street, Floriana* by the 17<sup>th</sup> August 2021 until noon.
- 6.2 Submission must include the following:
- i) Original signed copy of the Submission Form.
  - ii) Part-payment in cash or Cheque payable to Asset Recovery Bureau.

- 6.3 An Official Receipt shall be provided upon submission with a distinctive Applicant Registration Number.

Any other form of submission different from the above will **not** be accepted.

## **7 Evaluation and Award Criteria**

- 7.1 The primary award criteria for the Sale by Tender is the price. The highest administratively and technically compliant offer shall be awarded.
- 7.2 There shall be a Board of Evaluators which shall be composed of 4 members from the Asset Recovery Bureau. The entire Board of Evaluators shall be present to monitor and ensure the highest standards of integrity with regards to the evaluation and award criteria.
- 7.3 All offers shall be adjudicated by the Board of Evaluations and the results shall be published and made available to all interested applicants. All participants will be sent a copy of the results.

## **8 Award Notification**

- 8.1 The Asset Recovery Bureau shall notify the successful applicant in writing.