

# Sale by Tender

## ***Sale by Tender ‘Tale Quale’ of: Three (3) Motor Vehicles [ARB/32/2022]***

**Closing date for submissions:** Tuesday 21<sup>st</sup> June 2022, 14:00hrs

### **1 Introduction**

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

### **2 Objective**

- 2.1 The ARB invites interested parties (hereinafter also referred to as the applicants) to submit offers for the sale ‘tale quale’ of three (3) motor vehicle (hereinafter referred to as the Asset), in line with the Proceeds of Crime Act
- 2.2 The applicant may bid for one or more assets as listed hereunder and may withdraw any application for the asset or assets as many times as they respectively see fit, prior to the closing of the call.

**3 Asset Catalogue (3 Assets)**

**Asset 1**

<p><b>3.1. Details:</b></p> <ul style="list-style-type: none"> <li>i. <b>Make:</b> <u>Mazda</u></li> <li>ii. <b>Model:</b> <u>MX-5</u></li> <li>iii. <b>Year of Manufacture:</b> <u>2007</u></li> <li>iv. <b>Engine:</b> <u>1798cc</u></li> <li>v. <b>Mileage:</b> <u>75,942 miles</u></li> <li>vi. <b>Reserve Value:</b> <u>€7,500</u></li> <li>vii. <b>License:</b> <u>Expired</u></li> <li>viii. <b>Fuel Type:</b> <u>Petrol Unleaded</u></li> </ul>	<p><b>3.1.1. General Product Description:</b></p> <ul style="list-style-type: none"> <li>• The vehicle over all is in a good condition.</li> <li>• The paint and the body of the vehicle is in a good condition.</li> <li>• The mechanical perspective of the vehicle is in good condition.</li> <li>• The convertible roof requires some minor attention.</li> </ul>
---	---







## Asset 2

### 3.2. Details:

- i. **Make:** BMW
- ii. **Model:** 120D Sport
- iii. **Year of Manufacture:** 2006
- iv. **Engine:** 1995cc
- v. **Mileage:** 136,409 miles
- vi. **Reserve Value:** €3,500
- vii. **License:** Expired
- viii. **Fuel Type:** Diesel

### 3.2.1. General Product Description:

- Turbo Diesel Engine
- The body and paint are in a fair condition. However, it does have some minor scratches and dents, while the roof on the right-hand side has a missing strip.
- Mechanically the vehicle is in good condition.





## Asset 3

### 3.3. Details:

- i. **Make:** BMW
- ii. **Model:** Z4
- iii. **Year of Manufacture:** 2006
- iv. **Engine:** 2497cc
- v. **Mileage:** 88,844 miles
- vi. **Reserve Value:** €7,000
- vii. **Licensing:** Expired
- viii. **Fuel Type:** Petrol Unleaded

### 3.3.1. General Product Description:

- The vehicle over all is in a good condition.
- The paint and the body of the vehicle is in a good condition.
- Mechanically the vehicle is in good condition.







## 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 printing and filling **Annex 1 - Submission Form** together with a non-refundable administration fee of €25 payable by cash or cheque. The administration fee is to be paid by all the participants taking part in this sale by tender. A separate submission form with the respective administrative fee of €25 has to be submitted for each asset bid.

**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 the tender documents.

**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 ARB premises and/or any other good/s possessed by ARB and for the transporting of the vehicle/s out of any other premises indicated by the ARB

**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 ARB 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 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 **Bank Transfer**. The asset must be collected within five (5) working days from the **confirmation of sale** as communicated by the ARB, provided that payment by the awarded applicant has been affected.

**4.6** If the asset is not collected by the awarded applicant within the stipulated time frame, the ARB 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 ARB 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 assets in question will be awarded to the next best ranked applicant following the expiration of



the time frames listed in clause 4.5 or the process described in clause 4.6 is not finalised due to any circumstance.

**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 registration, taxes, and statutory licensing and/or insurance requirements.

**4.9** In the event that the reserve price indicated in clauses 3.1, 3.2 and 3.3 is not met by the closing time of the sale by tender, the ARB 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 ARB also reserves the right to accept a bid that is lower than the reserve price, provided that the ARB deems the bid to be of a similar amount to the Reserve 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 ARB 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 ARB does not receive any applications, the ARB 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 ARB 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 ARB evaluators during the process of examination, clarification, evaluation and comparison of the offers will lead to the rejection of his/her offer and the possibility of legal actions instituted against the applicant.

**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 ARB 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 including the administration fee of €25.

**4.17** The ARB 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 ARB 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 17<sup>th</sup>, June 2022.

## 5. Viewing

The Assets shall be available for viewing by appointment upon request by calling on 22261200 (Monday 13<sup>th</sup> June to Thursday 16<sup>th</sup> June, 08:00hrs till 14:00hrs) or by sending an email which must also include your details (name, I.D number, telephone or mobile number and email) to [assetmanagement.arb@gov.mt](mailto:assetmanagement.arb@gov.mt) by Thursday 16<sup>th</sup> June 2022.

## 6. Submissions

**6.1** Interested applicants are invited to fill in and endorse the Submission Form together with the administration fee by cash or cheque amounting to €25, and to **submit this form by hand** at the **ARB Offices (*Opening hours: Monday to Friday, 08:00hrs till 14:00hrs*)** situated at **72, Market Street, Floriana** by Tuesday 21<sup>st</sup> June 2022, 14:00hrs.

**6.2** Submission must include the following:

- i) Original signed copy of the Submission Form.
- ii) Cheque or money order payable to the Asset Recovery Bureau.

**6.3** An Official Receipt shall be provided upon submission which will include a distinctive Applicant Registration Number.

**6.4** Any other form of submission which defers from the above requirements 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 (ARB). 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 on the ARB's website 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



## **Annex 1 - Submission Form**

### **[ARB/32/2022] – Sale by tender of Three (3) Confiscated Vehicles from the Asset Recovery Bureau**

A separate submission form and the respective Eur25 administration fee must be submitted for each asset/vehicle being bid for.

With reference to this Sale by Tender issued by the Asset Recovery Bureau and in terms of the conditions therein mentioned in the tender dossier and those thereto.

I/We \_\_\_\_\_  
confirm that:

1. I/We have examined, and accept in full and in its entirety, the content of this tender (including any subsequent Clarifications Notes issued by ARB).
2. I/We hereby accept the contents thereto in their entirety, without reservation or restriction and, in submitting my/our offer.
3. I/we subject myself to all the conditions involved and, in the eventuality my/our offer is accepted, bind myself/ourselves to the prevailing conditions of tender.
4. I/We also understand that any disagreement, contradiction, alteration, or deviation shall lead to my/our quotation offer not being considered any further.
5. I/We shall pay the sum indicated in the Offer Form within the stipulated timeframes and remove the asset in conformity with the tender terms and conditions.
6. I/We undertake that this offer shall not be retracted or withdrawn for a period of 10 calendar days from the deadline of submission of bid, inclusively but shall remain binding and may be accepted by the ARB at the time during the said period of 10 calendar days.
7. I/We note that the ARB is not bound to proceed with this invitation to offer and that it reserves the right to cancel the sale by tender. It will incur no liability towards me/us should it do so

- I hereby confirm that all conditions have been read and understood. I confirm that I oblige self to the said conditions.
- I declare that I am not affected by any Potential conflict of interest and/or subject to any court order as issued by the criminal court.
- Payment of Eur25 enclosed (cash or cheque)

**Details of Bid and Bidder**

<b>Name &amp; Surname</b> (in BLOCK LETTERS) (Tenderer / person or persons authorized to sign on behalf of the tenderer)	
<b>I.D Card Number</b>	
<b>Email Address</b>	
<b>Phone/Mobile Number</b>	
<b>Asset/Vehicle Description</b>	
<b>Offer in (€) inclusive on VAT (In figures and in words)</b>	
<b>Date</b>	
<b>Signature</b>	

---

For Office Use **ONLY**

<b>Candidate Number</b>	
-------------------------	--