

***Sale by Offer***  
***‘Tale Quale’***  
***of***  
***Weapons & Old Technology***  
***[ARB/44/2024]***

**Closing date for submissions:** Friday 13<sup>th</sup> September 2024, 12:00hrs (noon)

**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 applicant*) to submit offers for the sale of a number of ‘*tale quale*’ weapons and old technological equipment (*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.
- 2.3 The applicant bidding for weapon/s must possess a valid respective firearm license and insurance. The winning bidder is subject to due diligence checks by the Malta Police Force (MPF) weapons board, prior to and during the transferring stage of the asset/s.

### 3 Asset Catalogue

The catalogue link: <https://assetrecovery.mt/sale-by-offer/>

### 4 Terms and Conditions

- 4.1 Interested applicants are to submit their offer/s accordingly as per Section 6 below. The following documentation has be submitted, including:
- 4.1.1 A copy of the I.D. Card (front & back);
  - 4.1.2 A copy of the firearms License;
  - 4.1.3 A filled in Annex 1 – Submission Form with clearly defined Asset reference.
- 4.2 Interested applicants shall participate at their own expense and shall provide for all that is required including but not limited to the transfer and collection of the asset/s. The Asset Recovery Bureau shall not reimburse any fee/s associated with the preparation of the offer document/s and/or transfer.
- 4.3 Once the offer is awarded to the successful applicant, the latter shall be solely responsible to collect from the ARB the required documentation/s to proceed with the transfer of the weapon (if applicable), and the collection of the asset/s.
- 4.4 Section 3 of the Asset Catalogue has been diligently written and vetted as accurately as possible. In view of this, the sale shall not be invalidated for any reason of any defect or faults in any of the lots (asset/s) erroneously included or not included in the description of the assets in this section.
- 4.5 The ARB is not providing warranty as to the conditions of the assets and the awarded applicant shall accept every lot (asset) with all faults and errors of description. This sale of these asset/s is *Tale Quale*.
- 4.6 Once the asset is awarded, the applicant shall be responsible and accountable for the asset. The amount stipulated in the application must be paid in full within five (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 **date of the transfer of the asset/s (if applicable), or confirmation of sale (if applicable)** as communicated by the ARB.
- 4.7 If the asset is paid in full as stipulated in clause 4.6 and not collected by the awarded applicant within the stipulated time frame, the ARB shall be entitled to impose **a daily fine of €10** to the

- awarded applicant. Additionally, the ARB shall not be held responsible for any expense/s or any damage/s incurred, or destruction or loss/es of the asset/s.
- 4.8 Should the applicant fail to comply with the above conditions for any unjustifiable reason, the asset/s in question will be awarded to the next best ranked applicant. This may also result in the applicant being **barred from participating in ALL future ARB auctions.**
- 4.9 The successful applicant shall be responsible for all the fees and taxes associated with the sale and transfer of the asset/s, including but not limited to any registration, taxes, and statutory licensing and/or insurance requirements applicable by the Maltese legislation.
- 4.10 Should the applicant fail to submit the payment as specified in the above conditions, the ARB reserves the right to cancel the sale by offer and publish a new sale. Notwithstanding the above, the ARB also reserves the right to accept a bid that is lower than the reserve price, provided that the bid is of a similar amount to the Reserve Price.
- 4.11 In the event of offers of equal monetary value that meet or exceed the reserve value, the offer 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 offer will be awarded to the highest bid submitted that exceeds the reserve price at the time of closing of this offer.
- 4.12 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.
- 4.13 In the event that the ARB does not receive any applications, the ARB reserves the right to cancel this sale by offer.
- 4.14 It is the interested applicant's responsibility to ensure that the offer is received by the ARB within the stipulated deadline.
- 4.15 Any attempt by any applicant to obtain confidential information, enter into unlawful agreements with competitor/s and/or influence the ARB evaluators during the process of examination, clarification, evaluation, and comparison of the offer/s will lead to the rejection of his/ her offer and the possibility of legal actions instituted against the applicant.
- 4.16 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.

- 4.17 The ARB reserves the right to cancel the sale by offer 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.
- 4.18 The ARB also reserves the right to cancel the sale by offer and initiate a new sale by offer. In the event of the cancellation of the sale by offer, the ARB will not be held liable for any damages, whatever their nature in relation to the cancellation of the offer.
- 4.19 Clarifications are to be forwarded in writing on [assetmanagement.arb@gov.mt](mailto:assetmanagement.arb@gov.mt) by not later than **Wednesday 11<sup>th</sup> September 2024**.

## 5 Viewing

- 5.1 The Assets will not be available for viewing and are being auctioned as “*Tale Quale*”.

## 6 Submissions

- 6.1 Interested applicants are invited to fill in the Submission Form and to **submit the form together with any other relevant documentation/s in an envelope by hand** at the **ARB Offices (*Opening hours: Monday to Friday, 08:00hrs till 15:00hrs*)** situated at ***Directories Building, 1, Triq il-Pitkali, Marsa*** by Friday 13<sup>th</sup> September 2024, 11:30hrs.
- 6.2 Submission must include the following documentation:
- i) Original signed copy of the Submission Form.
  - ii) Clearly mentioning the category and the reference auction number within the form.
  - iii) Original copy of the I.D. card.
  - iv) Original copy of the License card (A, B, and/or Collectors) (if applicable).
- 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 offer 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 four (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/44/2024] – Sale by Offer of a number of weapons & old technology from the Asset Recovery Bureau**

A separate submission form must be submitted for each asset being bid for.

With reference to this Sale by Offer issued by the Asset Recovery Bureau and in terms of the conditions therein mentioned in the offer 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 offer (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 offer.
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 offer 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 offer. 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.

**Details of Bid and Bidder**

<b>Name &amp; Surname</b> (in BLOCK LETTERS) (Offeror / person or persons authorized to sign on behalf of the Offeror)	
<b>I.D Card Number</b>	
<b>Email Address</b>	
<b>Phone/Mobile Number</b>	
<b>Category</b>	
<b>Asset Reference</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>	
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