



## TENDER DOCUMENT



**Under instructions from BHP Billiton Iron Ore PTY LTD**

**Tenders close Friday 2<sup>nd</sup> June 2017 at 4:00pm (AWST)**

Contact: Matthew Kalinski +61 (0) 418 488 011 or [matt@auctions.com.au](mailto:matt@auctions.com.au)

# 1 TABLE OF CONTENTS

---

2	Tender Details.....	3
2.1	Tender Conditions .....	3
2.2	Tender Process Flow.....	4
2.3	Tender Date Schedule .....	5
2.4	Lodgement of Tenders.....	5
2.4.1	Electronic Lodgement.....	6
2.4.2	Written Lodgement .....	6
2.5	Tender Acceptance .....	6
2.6	Tender Payments.....	7
2.6.1	Tender Deposit .....	7
2.6.2	Tender Invoice Payment.....	7
3	Asset Inspections .....	7
3.1	PPE Requirements .....	8
3.2	Site Inductions .....	8
3.3	Occupational Safety and Health Obligations.....	8
4	Asset Removal .....	8
5	Annexure A .....	9

Under instructions from **BHP Billiton Iron Ore Pty Ltd**, offers are invited for the purchase and removal of 2x VaiaCar Flashbutt Welders located at 453 Orrong Road, Welshpool, Western Australia. Please ensure you have read the limiting conditions of this tender document. Submission of tenders will be considered as acceptance of these conditions.

Please direct all enquires to Matthew Kalinski +61 (0) 418 488 011 or [matt@auctions.com.au](mailto:matt@auctions.com.au)

## 2 TENDER DETAILS

---

### 2.1 TENDER CONDITIONS

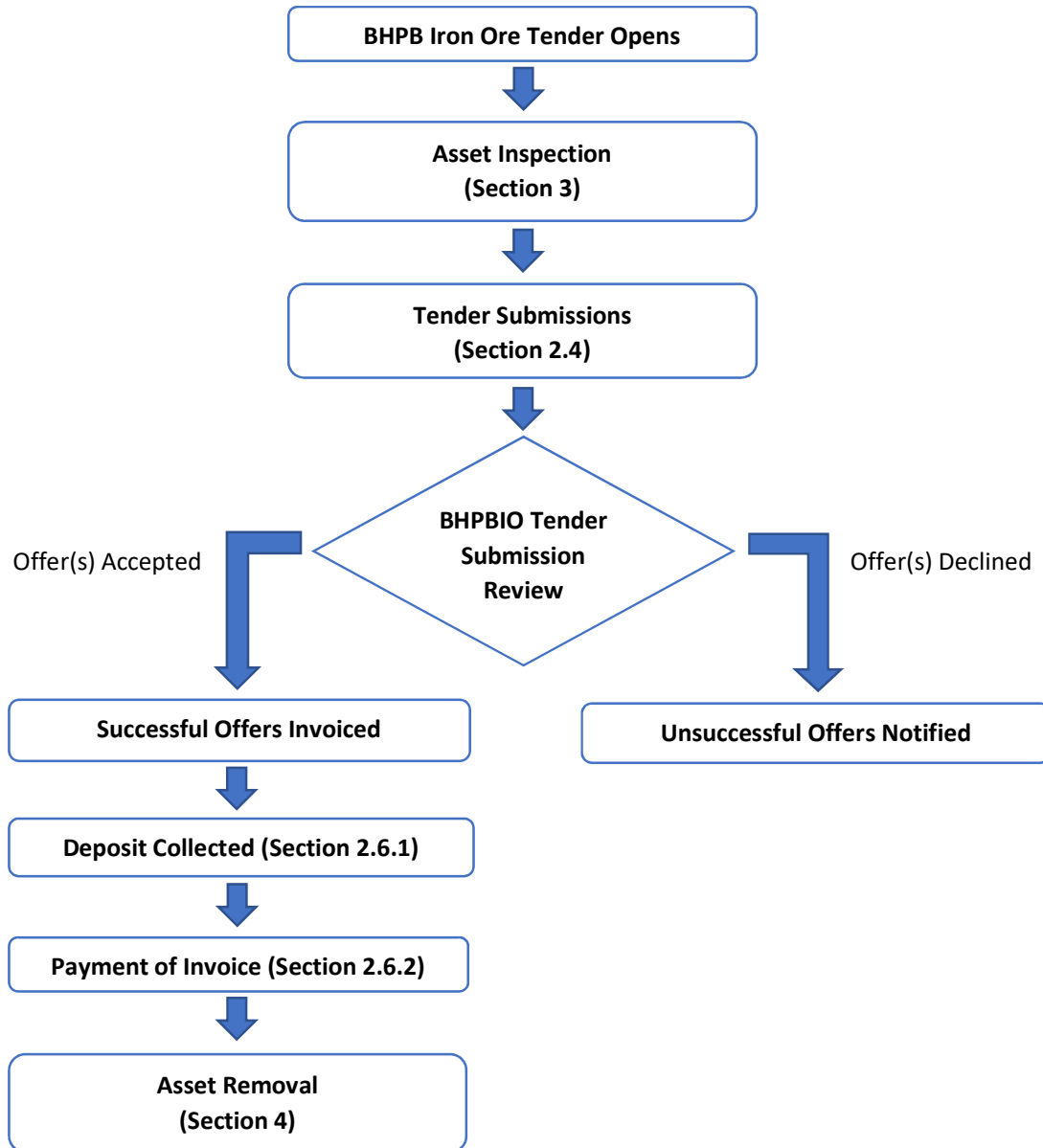
BHPB Iron Ore Pty Ltd and Ross's Auctioneers and Valuers expressly disclaim all implied consumer guarantees to the fullest extent permitted by law.

While we have endeavoured to provide correct asset details, any descriptions and photographs of the Lots are deemed to be a guide only. All vessels are used and are sold in "As is Where is" condition.

By submitting an offer you agree that:

- You have been given sufficient opportunity to inspect the Lots to which your tender bid relates and that such inspection was sufficient to satisfy all your inquiries as to the quality and fitness for the purpose to which you intend to use the Lots;
- Your offers for purchase are made based on your inspection and assessment of each Lot;
- If you do not inspect and assess each Lot, your offers for purchase will be deemed to have been made on the basis that you are aware of the quality of the Lots to that extent that such quality would have been evident had you inspected the Lots.

## 2.2 TENDER PROCESS FLOW



## 2.3 TENDER DATE SCHEDULE

**Tender Submission Deadline:** All tender offers must be received no later than 4pm Friday 3<sup>rd</sup> of June 2017 (AWST)

**Inspection Period:** The assets may be inspected until the tender close by appointment only.

**Tender Decision:** A formal tender response by BHPB Iron Ore should be made within ten (10) working days of tender close, estimated on Tuesday 16<sup>th</sup> of June 2017 (Section 2.5).

**Tender Deposit:** A minimum deposit of \$10,000 will be required from successful tenderers no later than five (5) days after successful tender notification (Section 2.4).

**Full Payment:** Full payment will be required no later than 15 working days from successful tender notification

**Asset Removal:** All successful tenderers must remove their vessels per vessel removal schedule (Section 4)

## 2.4 LODGEMENT OF TENDERS

In order to successfully lodge a tender you **must comply** with the following:

- (i) Lodge the tender prior to the closing date of **4pm Friday 2<sup>nd</sup> June, 2017 (AWST)**;
- (ii) Lodge the tender using approved methods outlined in section 2.4.1/2.4.2; and

All offers are to be made in Australian Dollars, exclusive of GST. Please note all offers will be subject to 5% Buyers Premium and GST. GST Exemptions for International buyers will need to conform to Australian Taxation Offices rules.

For example an offer of \$1,000,000 AUD will become

**\$1,000,000 + \$50,000 (5% Buyers Premium) + \$105,000 (10% GST) = \$1,155,000 AUD**

GST Exempt Purchases, are required to comply with all Australian TAX legislation including proof of export.

**Important:** Please ensure you clearly state any special conditions on your tender bids; for example "Only want Lot 2 if successful on Lot 1".  
Special conditions must be clearly stated in the Comments/Special Conditions parts of the tender submission document or electronic portal.

#### 2.4.1 Electronic Lodgement

Tenders can be submitted electronically via the Ross's Auctioneers & Valuers website

<http://www.auctions.com.au/tenders>

Please note, only Premium Members can use this tender submission method;

If you are not a Premium Member, visit <https://www.auctions.com.au/register> to become Premium Member (No fees apply).

Upon receiving a successful online tender bid, a system generated confirmation email will be sent to your registered member email account. If you do not receive the confirmation email or need help lodging your tender bid through the online portal please contact Matthew Kalinski on 0418 488 011 or [matt@auctions.com.au](mailto:matt@auctions.com.au).

#### 2.4.2 Written Lodgement

Written tender offers will be accepted. If you wish to lodge a tender in writing, you are required to use the tender submission document provided (see Annexure A) in order for your submission to be considered.

Completed tender documents must be returned to:

Att: Matthew Kalinski  
Ross's Auctioneers & Valuers  
453 Orrong Road,  
Welshpool, Western Australia 6106

or scanned and emailed to [matt@auctions.com.au](mailto:matt@auctions.com.au)

Upon receiving a successful written lodgement, Ross's Auctioneers & Valuers will advise via email or phone call.

### 2.5 TENDER ACCEPTANCE

BHPB Iron Ore Pty Ltd anticipate that the final decision on successful tender will be made within ten (10) working days of the tender close date.

Acceptance of any offer will be communicated in writing (by email, fax or letter) and will be deemed to have been communicated to the successful purchasers immediately (in the case of an email or fax where no notice of transmission error has been received by the sender) or by close of business on the day following mailing (in the case of a letter). Date of such deemed communication will be the "Agreement Date".

Upon the Agreement Date, a binding contract of sale will arise as between The Vendor and the successful purchaser effective on the Agreement Date, the terms and conditions of which are those set out in the Conditions of Tender (Section 2.1).

A Tax invoice will be generated once acceptance has been communicated.

Unsuccessful tenderers will be notified by email.

## 2.6 TENDER PAYMENTS

### 2.6.1 Tender Deposit

If your tender bid is successful, you are required to pay a ten thousand (\$10,000.00) AUD deposit within 5 days of being notified in order to secure your tender bid.

This deposit must be paid via Electronic Funds Transfer into the following Trust account.

**Ross's Auctioneers & Valuers Trust Account**

**Bank:** Commonwealth Bank of Australia

**BSB Number:** 066 000

**Account Number:** 11832725

Please advise of the payment name when making the deposit. Please ensure you have recorded the transaction ID for verification.

If the successful purchaser fails to comply with the Conditions of Tender, The Vendor reserves the right to retain the deposit and/or any other monies paid and the right to resell the asset(s) in any manner and upon such terms and conditions they may see fit.

### 2.6.2 Tender Invoice Payment

Full payment of the Tax Invoice is required within fifteen (15) days of tender acceptance. Payments are to be made via Electronic Funds Transfer (EFT) into the following Trust account.

**Ross's Auctioneers & Valuers Trust Account**

**Bank:** Commonwealth Bank of Australia

**BSB Number:** 066 000

**Account Number:** 11832725

**Deposit Reference:** Please use the Tax Invoice ID which was supplied by Ross's

Please ensure you have recorded the transaction ID for verification.

## 3 ASSET INSPECTIONS

Inspections are strictly by appointment only. Please contact Matthew Kalinski on +61 (0) 418 488 011 or by email [matt@auctions.com.au](mailto:matt@auctions.com.au). Inspections are conducted at the Ross's Auctioneers & Valuers auction complex situated on 453 Orrong Rd, Welshpool, Western Australia.

### 3.1 PPE REQUIREMENTS

You must supply and wear the following PPE equipment at all times during your inspection.

- (1) Long sleeve High Visibility Shirt;
- (2) Long Trousers;
- (3) Safety-toed boots (Over ankle), lace up only.

Please note that failure to wear the requisite PPE equipment may result in denied access to the inspection area.

### 3.2 SITE INDUCTIONS

No site induction will be required as you will be escorted during your inspection.

### 3.3 OCCUPATIONAL SAFETY AND HEALTH OBLIGATIONS

Legislation of Western Australia imposes mandatory obligations, such as providing and maintaining a safe work environment and preventing exposure to and protection from hazards on persons who use or operate plant in a workplace and on employers whose employees use or operate plant. If the buyer intends to use plant purchased at a workplace then it is the responsibility of the Buyer to inform themselves of these obligations.

Unless otherwise stated the plant to be sold has not been assessed or inspected by a competent person and it may or may not be affected by faults or defects, which make it unsafe for use. It is the responsibility of the Buyer to ensure assessment and inspection by a competent person.

The Legislation requires that owners of plant maintain safety and health information and records. The Auctioneers will pass on to the buyer all information made available to them by the owner, but the auctioneer does not warrant that the information and records are complete and accurate. It is the responsibility of the Buyer to familiarise themselves with all relevant information and records.

## 4 ASSET REMOVAL

---

It remains at all times the responsibility of the purchaser to remove the assets purchased from their location at 453 Orrong Road, Welshpool Western Australia. The purchaser will make their own arrangements for the removal and collection of the assets in a timely manner using the requisite transport. Removal will only be available on Mondays, Wednesdays or Fridays unless by prior approval.

Assets must be removed within one (1) week of final availability.



## 5 ANNEXURE A

---

### *Written Tender Submission*

**Name:** \_\_\_\_\_

**Company Name:** \_\_\_\_\_

**Company Address:** \_\_\_\_\_

**Contact Number:** \_\_\_\_\_

**Contact Email:** \_\_\_\_\_

### **Tender Lot 1**

2009 VAIACAR SPARK RAIL MOBILE FLASHBUTT WELDER HY RAILED (ASSET# FB05)

SERIAL: 5408DN02

WELDING HEAD: K355A LOW PROFILE TESTA SALDANTE

HEAD DOM: 2016

HEAD SERIAL: 28416TSS01

ENGINE: DEUTZ BF6M 1015CP

ENGINE HOURS: 5699

RATING: 365KW

ENGINE#: 9176250

WEIGHT: 23500KG

MAX TRACTIVE ON ROAD: 188000N

MAX TRACTIVE ON RAILWAY: 117500N

WELD NUMBERS: TOTAL APPROX 20,000, HEAD APPROX 8,500

COMMENTS: RECONDITIONED LOW PROFILE HEAD FITTED JUNE 2016, HEAD QUADRANTS  
HAVE VARIOUS CRACKS THROUGHOUT

Tender Lot 1 offer: \_\_\_\_\_

(Offers will have Buyers Premium of 5% and GST of 10% Applied)

**Tender Lot 2**

2009 VAIACAR SPARK RAIL MOBILE FLASHBUTT WELDER HY RAILED (ASSET# FB06)

SERIAL: 3409DN02

WELDING HEAD: K355 TESTA SALDANTE

HEAD DOM: 2016

HEAD SERIAL: 28816TSS00

ENGINE: DEUTZ BF6M 1015CP

ENGINE HOURS: 5699

RATING: 365KW

ENGINE#: 9177228

WEIGHT: 23500KG

MAX TRACTIVE ON ROAD: 188000N

MAX TRACTIVE ON RAILWAY: 117500N

WELD NUMBERS: TOTAL APPROX 15,500, HEAD APPROX 3,500

COMMENTS: NEW STANDARD HEAD FITTED JUNE 2016

Tender Lot 2 offer: \_\_\_\_\_

(Offers will have Buyers Premium of 5% and GST of 10% Applied)

Tenderer Name : \_\_\_\_\_