Anadarko Moçambique Area 1, Lda. (The “Company”)
Sealed Bid Auction Rules

Sealed Bid Auction for the purchase of the assets described in the Annex I of this document. The Sealed Bid opening will occur at the date, time and place as follows:

Date/Time:
Bids must be received at Anadarko office in Maputo (Julius Nyerere Avenue number 3412, 5th Floor) or in Pemba (Anadarko Muxara camp) no later than 27 of April 2018 at 16:30 PM. Bid opening begins promptly at 30 of April 2018 (the “Date of Opening”).

Location: Maputo (Julius Nyerere Avenue number 3412, 5th Floor and Pemba (Anadarko Muxara camp).

The Sealed Bid Auction is subject to, and all bids submitted must comply with the following terms and conditions:

1. OBJECT
1.1. Sealed Bid Auction for the purchase of the goods, equipment and materials listed and described in the Annex I of this document (the “Assets”).
1.2. The description of the Assets set forth in this document is deemed correct and any error or omission is considered immaterial and shall not constitute grounds for claim by purchaser for allowance, refund, or deduction from the purchase price.

2. INSPECTIONS
2.1. Bidders are invited, urged, and cautioned to inspect the Assets to be sold prior to submitting a bid. The failure of any bidder to inspect, or to be fully informed as to the condition of all or any portion of the property offered, will not constitute grounds for any claim or demand for adjustment or withdrawal of a bid after the bid opening or auction.
2.2. The Assets are available and may be examined by interested parties from 16 of April 2018 to 20 of April 2018, from 8:30 AM to 16:30 PM at:
   2.2.1. MAPUTO - Avenida das industrias, talhão 3209, Machava (Road between PREMAP e PRINTEX); and
   2.2.2. PEMBA - Anadarko Muxara Camp, Estrada Nacional 106.

3. CONDITION OF ASSETS
3.1. The Assets are offered for sale and will be sold “As Is” and “Where Is” without representation, warranty, or guaranty as to quantity, quality, title, character, condition, size,
or kind, or that the same is in condition or fit to be used for the purpose for which intended, and no claim for any allowance or deduction upon such grounds will be considered after the bid opening or conclusion of an auction.

3.2. The bidder will receive the Assets in the physical state in which they are found. The bidders shall be responsible for all expenses related to removal from Company site and the registration and formalization of the transfer of ownership title with the competent authorities.

3.3. The Assets shall remain in the possession and custody of Company until the winning bidders take possession of the items.

4. BIDDERS

4.1. The Sealed Bid Auction is open to the public and individuals over 21 (twenty-one) years old or legal persons via their authorized legal representatives can participate.

4.2. All bidders are required to complete a registration form and must present the original or a certified copy of the Identity Card or other equivalent document. If the bidder is a legal person, an updated copy of the certificate of commercial registration is required as well as a proper document granting powers to their representatives to represent them on the Sealed Bid Auction. Failure to submit such documents shall preclude the person concerned from bidding.

4.3. Only the bidders, or their authorized legal representatives, may intervene as a participant in the Sealed Bid Auction.

4.4. All those interested in participating in the Sealed Bid Auction should make their registration at AMA1 office from 16th April 2018 to 20th April 2018.

4.5. A non-refundable participation fee of 1,000.00 Mts (VAT included) is due upon registration.

4.6. Once the payment of the participation fee and the registration are complete, the bidders will receive a proof of registration.

4.7. It is the bidders’ responsibility to safeguard their respective proof of registration.

4.8. The bidders shall ensure that all Sealed Bid Auction personal information (including without limitation name, telephone and email address) is at all times current, complete, and accurate.

4.9. No person may represent more than one bidder.

4.10. The members of the Sealed Bid Auction Committee are not eligible to participate in this Sealed Bid Auction and will sign a declaration whereby they state they will not bid or have others bidding on their behalf.

4.11. Neither employees nor contractors of the Company shall be given any preferential treatment with regard to the items available for auction.
5. BID FORM
5.1. Each prospective bidder is required to complete and execute, in duplicate, the bid form (attached in this Invitation for Sealed Bid Auction), and all information and certifications called for thereon must be furnished simultaneously. Bids submitted in any other manner or which fail to furnish all information or certifications required may be summarily rejected.
5.2. Bids shall be filled out legibly with all erasures, strikeovers, and corrections initialed by the person signing the bid and the bid must be manually signed.
5.3. Errors or negligence on the part of the bidder in preparing the bid confers no right for withdrawal or modification of the bid.

6. BID EXECUTED ON BEHALF OF BIDDER
A bid executed by an attorney or agent on behalf of the bidder shall be accompanied by an authenticated copy of his Power of Attorney or other acceptable evidence of his authority to act on behalf of the bidder (e.g. Minutes, Delegation Of Authority, etc.).

7. PRICE AND CONDITIONS OF SALE
7.1. The winning bid price will be the highest bid among those offered by the bidders, without qualifications observing the minimum price established by the Sealed Bid Auction Committee, in a sealed envelope with the opening of the same in the Date of Opening.
7.2. The Sealed Bid Auction will be conducted and settled in Meticals.
7.3. Sales will be made irrevocably and irreversibly, i.e., all sales are final.
7.4. Each bid submitted shall be deemed to have been made with full knowledge of all terms, conditions, and requirements contained in this Invitation for Sealed Bid Auction.

8. PROCESS AND EVALUATION
8.1. Sealed Bid Auction follows a standard process flow: scheduled (upcoming), open and closed.
8.2. The Sealed Bids will be judged by the highest bid criterion.
8.3. All bids will be opened and evaluated in the presence of all members of the Sealed Bid Auction Committee, and two independent individuals, appointed by the Company (General Manager). All members of the Sealed Bid Auction Committee will sign the final results of the bid evaluation.
8.4. [Lots that do not reach the minimum value evaluated by the Sealed Bid Auction Committee may be conditioned to the sale, being at the discretion of the Sealed Bid Auction Committee the sale to the bidder who made the highest bid].
8.5. The Sealed Bid Auction Committee will notify the winning bidders by telephone and/or email.
8.6. There shall be at least (three) 3 attempts for notification and all attempts must be duly documented in a log of notifications, which has to be signed by at least three members of the Sealed Bid Auction Committee.

8.7. In the event the winner cannot be reached within (forty-eight) 48 hours following attempted notifications, the next highest bidder will be notified.

8.8. Upon notification, the bidder is obligated to complete the transaction and pay for the winning bid within a maximum period of seventy-two (72) hours after notification.

8.9. If the winning bidder fails to pay and provide proof of payment to Company within seventy-to (72) hours after receiving notification, next highest bidder will be notified in order to, within the same period, proceed with the payment.

8.10. A winner’s list will be available to all bidders, upon request, up to thirty (30) days following the Date of Opening.

9. PAYMENT

9.1. Payment shall be made by deposit or transfer in the bank accounts: BCI –MZN Nr. 1241444910002, NIB: 0008 0000 12414449102 77.

9.2. The proof of payment must be delivered personally or sent via email to (rscama1mapreception@anadarko.com).

9.3. Expenses and other charges arising from the sale (loading and transport) shall be the sole responsibility of the bidders.

10. RECEIPTS

The Sealed Bid Auction Committee will issue legal receipts, with the data provided by the bidder at the time of registration and delivered after the winning bidder presents proof of the actual payment.

11. RELEASE AND DELIVERY OF ASSETS

11.1. The bidders must collect the purchased Assets within (twenty) 20 calendar days from the date of the notifications referenced in clause 8.4, during business hours.

11.2. Failure to take possession of the purchased Assets within (twenty) 20 calendar days, as per clause 11.1, shall result in the forfeiture of (i) the bidder’s rights over the Assets, and (ii) 25% of the amount paid by the bidder, without liability on the part of Company.

12. THE SEALED BID AUCTION COMMITTEE

12.1. The Sealed Bid Auction Committee, appointed by [Anadarko General Manager], is composed of five [5] individuals (the “Committee”), who shall verify the transparency and reliability of the Sealed Bid Auction administrative procedure, coordinate and
12.2. Company shall retain the custody of the Assets from the day of execution of the Sealed Bid Auction until their actual delivery to the winning bidders.

12.3. Upon closure of the Sealed Bid Auction, the Committee shall draw up detailed minutes that records the process and the results.

12.4. The Committee shall receive and decide on possible appeals related to the Sealed Bid Auction.

13. FINAL PROVISIONS

13.1 Company shall not be responsible or liable, in any manner, resulting from loss, damage, injury resulting from the removal of the Assets from the premises and their subsequent use.

13.2 The Committee shall be entitled to postpone, by means of a reasoned order, the present bid, without the bidders being entitled to any sort of compensation or other remedy.

13.3 Provided that there are justifiable the reasons, the Committee may also, withdraw from the Sealed Bid Auction any of the lots or items described in these Rules.

13.4 Claims after the Sealed Bid Auction, returns, and requests for refunds of amounts or price abatement by the winning bidders/buyers, for whatever reason, shall not be accepted, nor will bidders be able to claim ignorance of these terms and conditions of sale.

13.5 All correspondences relating to this Sealed Bid Auction shall be sent to the following email address (rscama1.mapreception@anadarko.com).

13.6 Company must appoint an individual to manage the referenced email account and be a contact person for receiving all correspondence and interacting with the bidders if they have questions or want to check the status of their bids.

These Bidding Procedures have been duly reviewed by the Company’s Country Manager and he has signed below to confirm his approval thereof on this 29 of March 2018.

_____________________________________________
Steven Wilson
Country Manager
Anadarko Moçambique Area 1 Lda.