

# O'MARAS

VALUERS & AUCTIONEERS

## TENDER DOCUMENT

Tender Number: 80829

Tenders are invited for the purchase of all or part of the assets as shown in the attached schedule.

Written offers to be lodged on the Tender Document with the office of O'Maras Valuers and Auctioneers,  
112 Lilyfield Road, Lilyfield, NSW, 2040 or  
Fax 61(0)2 9555 5044 or  
Email [tim@omaras.com.au](mailto:tim@omaras.com.au)  
by 4.00 pm, Friday 29<sup>th</sup> August, 2008.

The Tenderer must complete a Tender Document as attached.

Read, sign and return to O'Maras.

If you intend on purchasing any items for export please note the GST component of your offer can be claimed back from the Australian Tax Office. Subject to the correct completion of the relevant documentation and meeting the required timeline for export. O'Maras are happy to assist in the completion of this documentation.

For further information see the O'Maras website ([www.omaras.com.au](http://www.omaras.com.au)).

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Personal Details:

Name ("The Tenderer"): \_\_\_\_\_

Company Name: \_\_\_\_\_  
(If buying in company name) (Including ABN)

Address: \_\_\_\_\_

Phone business hours: \_\_\_\_\_

Phone after hours: \_\_\_\_\_

Phone Mobile: \_\_\_\_\_

1. Prior to making an offer the Tenderer must complete the relevant Tender Document and provide the personal details requested.
2. The Tenderer has carried out his/her own independent research and is satisfied that the items are suitable for their required use.
3. Payment Terms are 30% deposit within 24 hours of notification of acceptance of the tender and the balance within 3 working days and prior to any item being removed from the site.
4. The Tenderer agrees to pay any buyer's premium as detailed in this tender document.
5. The Tenderer agrees that once accepted the offer is binding and can not be withdrawn.
6. All offers will be evaluated in the 2 working day period following the tender.
7. O'Maras may accept or refuse any offer or offers without having to state any reason therefore.
8. Offers deemed by O'Maras to be "Not in the best interest of the Vendor" will not be considered.
9. The highest offer may not necessarily be accepted.

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10. No offer will necessarily be accepted.
11. O'Maras assumes that the Tenderer is the Principal.
12. Offers received after the specified closing time may or may not be accepted, at O'Maras absolute discretion.
13. All items will be sold on "as is, where is" basis.
14. The Tenderer accepts full responsibility for any and all issues that may arise after acceptance of the tender.
15. Successful Tenderers will be notified as soon as possible at the absolute discretion of the Auctioneer.
16. Except as detailed elsewhere in these Terms and Conditions, the items must be paid for by cash or bank cheque. The successful Tenderer(s) will not take possession of the item(s) until all funds have been cleared.
17. Upon acceptance of any offer all risk will pass to the purchaser.
18. Each item is sold inclusive of GST.
19. A buyer's premium of 15% including GST will be added to the offer price.
20. Dispute Resolution: In the event that more than one offer, of equal and highest consideration, is received for an item, the parties with these offers will be given the option to submit an amended offer within a set period of time. The Terms and Conditions outlined elsewhere in this document will apply.
21. Upon acceptance by the successful Tenderer:
  - each item shall be at the Tenderer's risk and expense.
  - all security is at the Tenderer's volition; and
  - the Tenderer is required to effect all/any insurance at his/her expense.
22. If any Tenderer fails to comply with any of these conditions or if any cheque given on account of his/her purchase is dishonoured, any moneys which the Tenderer has paid to O'Maras on account of his/her purchase or purchases is absolutely forfeited to the Vendor. In this event, the Vendor and/or O'Maras is at liberty to sue the Tenderer for damages, or at their option to resell the item in any manner and upon such terms and conditions as they think proper.

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23. All losses and expenses incurred by the Vendor and/or O'Maras resulting from any resale pursuant to the previous clause and all damages which the Vendor and/or the O'Maras may sustain are recoverable from the Tenderer as liquidated damages. The Vendor and/or O'Maras is not obliged to give any notice of a resale. Without limiting the generality of the foregoing, O'Maras is entitled in the event of a resale to:

the amount of any commission and buyer's premium lost on a purchase as a result of the Tenderer not proceeding with the purchase;  
the cost of advertising in respect of any such purchase; and  
any other cost incurred in such resale.

24. The Tenderer is deemed to have waived or abandoned any claim under these conditions unless the claim is made at or before the time the goods leave the premises.

25. No servant or agent of O'Maras is authorised to waive, add to or vary these Terms and Conditions without written authority of the Managing Director.

26. Tenderers of any item indemnify O'Maras and the Vendor against any damage or injury whatsoever caused by the Tenderer or his/her servants during the collection of goods.

27. Items may be withdrawn from Tender without any prior notice and O'Maras is not liable for any loss or compensation whether consequential or otherwise.

28. The Tender price offered shall be on a per each basis where a multiple quantity is offered.

I/We accept the Terms and Conditions.

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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Lot	Description	Price inc GST <i>Plus 15% Buyers Premium</i>
5668+1	Yinfeng Glass Machine Co Ltd. Glass Washing Machine with Temperature Control Fully Automated with infeed/out Feed Rails Serial No 040602	
5668+2	ADA3000 Series Glass 9 Spindle Edger Polishing Machine Serial No 820514	
5668+3	F & G Electrics P/L Model 3620 Glass Baking Oven and Die Table (large) Automatic Operation for the purpose of Creating Designs in Glass Panels approx. 6 Years Old Fast Burn Slumping Oven Serial No. 903006	
5668+4	F & G Electrics P/L Model 3620 Glass Baking Oven and Die Table (small) with Bending Table Automatic Operation for the Purpose of Creating Designs in Glass Panels approx 10 years old type fast Burn Slumping Oven.	
5668+5	Electrical Distribution Board	
5668+6	Glass Loading Table Automated on Rails Damaged Motor Housing	
5668+7	Glass Cutting Table Tilting Automated Air Float Cutting Table Tilt Action 4 x 2.2m	
5668+8	Nissan Navara 1998 2wd, 4 litre White Tray Top Ute Passenger Dock Lock Smashed and Damaged to top of windscreen with remner glass equipment glass carrying racks no spare wheel Rego No AV65GP, Vin JN1ACGD22A0000808, Eng No Ka24815648x Out of Rego	
5668+9	Holden Rodeo 2002, 2WD White Tray Top Ute Missing Right Head Light And Rust to left Guard with Remner Glass Equipment Glass Carrying Racks. Not Registered (previously YAQ205) Vin JAVATFR25H27102968, Eng V6dohc	