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Notice of auction of state assets

Public from: 13.10.2020

Public until: for an indefinite period

Maanteeamet publishes this announcement under [Section 58\(1\) of the State property Act \(RVS\)](#).

Maanteeamet announces the to dispose of individually by public auction in the name of the Road Administration: the right to exploit the mineral resources of an open-cast sandy quarry (mining permit No. RIGM-038) and the right to exploit the mineral resources of an open-cast sandy quarry (mining permit No. RIGM-022), together with the obligations and rights attaching to the mining permits, and without immovable property, in accordance with the terms of the auction:

1. The starting price for the auction of a permit to exploit the mineral resources of an end-to-end sandy quarry is EUR 17 200,00 (sixteen thousand two hundred), plus VAT in accordance with the rules laid down by law. 2. The starting price for the auction of a permit to exploit the mineral resources of a Sõõru quarry is EUR 8 240,00 (eight thousand two hundred and forty), plus VAT in accordance with the procedure laid down by law. 3. Any person other than those referred to in paragraph 73(7) of the Landesvergabegesetz may participate in the auction. 4. The winner of the auction shall be the person who accepts the terms of the auction and offers the highest price for the purchase of the movable property and fulfils the additional conditions laid down in the contract of sale. Where two or more tenders are of an equivalent highest value, the auction winner shall be selected by drawing lots in accordance with the procedure, time and place determined by the auctioneer and in which the legal or authorised representatives of tenderers who submitted tenders of equal value shall participate. The auctioneer shall be awarded a sale contract in accordance with Annex 2 within one month of the date of notification of the outcome of the auction, subject to the conditions of the auction. 5. The auction participant declares that, as the winner of the auction and by disposing of the movable property, it will take over from the Road Administration, as the holder of the mining authorisation, all the rights and obligations attaching to the authorisation, including the obligation under paragraph 80(1) of the Mining Act to recall the extracted land. 6. If the Environment Agency refuses to register the mining permit, or if the refurbishment of the mining permit is revoked or otherwise it becomes impossible to register the mining permit, the parties shall recall the contract of sale from the outset. 7. After publication of the auction notice, any interested party may inspect the terms of the auction, the contract of sale and the movable property to be sold. 8. The auction participant shall have the right to carry out a close physical review of the movable property prior to the submission of an offer. Movable property may be reviewed in nature at any time. If movable property and data relating thereto are not consulted, the tenderer may not subsequently rely on the fact that he was unaware of the state of the movable property. 8.1 questions in writing concerning movable property or the conditions for participation in auctions must be submitted no later than 27.10.2020 to the email address angela.notton@mnt.ee. 8.2 the documentation relating to the rolling stock can be found in <https://pilv.mkm.ee/s/MXPheP0NdhpD8Cg>. 9. Participation in the written auction shall be subject to payment of a deposit of 10% of the initial auction price plus VAT on the bank accounts of the Ministry of Finance as follows: the Ministry of Finance of the payee; the Bank IBAN BIC (S.W.I.F.T) Swedbank EE932200221023778606 HABAE2X SEB Bank EE8910220034796011 EUHEE2X LUMINOR E701700017001577198 NDEAE2X UNDER reference 2800045496. Explanation: "Guarantee for the transfer of State assets, authorisation number for the extraction of mineral resources and name of tenderer" if the guarantee fee has been paid by another person on behalf of the tenderer. Securities shall be deposited in that current account no later than 03.11.2020 at 10.00 hours. 10. The written auction shall also take account of tenders secured by an irrevocable bank guarantee of 10% of the initial price, including VAT, of public funds with a validity of at least 90 days from the deadline for the submission of tenders. The auctioneer may require payment of a bank guarantee letter during the auction period and if

the bidder does not maintain its offer until the conclusion of the sale contract or if the bidder refuses to conclude the sale contract at a time agreed in advance .11. Participation in the written auction shall be subject to the submission by the bidder of a bid that complies with all the conditions of the auction. The digitally signed and encrypted offer with the "id" software must be submitted by e-mail, stating the name, personal or registry code of the tenderer, postal address, e-mail, the name of the mining deposit, the authorisation number for the extraction and the additional qualifying note "disposal of public funds". Not to open a digitally signed and encrypted file before 03.11.2020 at 11.00. The tender container shall be encrypted with the personal identification numbers of the Members of the Commission: - Raido Randmaa Identification number 38410020289; - Sülvi Seppel-Hüvonen Identification number 48001080277; - Angela Notton Identification number 482064719. 12. The tender must contain the following documents and particulars: 12.1. A declaration in Estonian (Annex 1) indicating: 12.1.1. the tenderer's name, personal or registry code, postal address, e-mail and contact telephone; 12.1.2. the postal address or e-mail address to which the tenderer wishes to obtain the documents and information relating to the auction. Where the postal address or e-mail address for the forwarding of the documents and information relating to the auction is not indicated, the documents or information shall be sent to the e-mail address indicated in accordance with point 11; 12.1.3. the amount of the offer, expressed in figures and words, shall be net of any cents (excluding VAT), which may not be lower than the initial price. Where the amount written in figures and words is not the same, the amount written in words shall be deemed to be valid. The price offered shall be increased by VAT in accordance with the procedure laid down by law; 12.1.4. acceptance of participation in the auction under the conditions laid down in the auction and of the purchase of the assets to be sold in accordance with the conditions and procedures laid down in the notice of sale; 12.1.5. confirmation that the bidder does not have the circumstances referred to in paragraph 73(7) of the Mineral Law; 12.1.6. details of the bank account to which the guarantee is to be returned upon the occurrence of the ground for repayment; 12.1.7. date of submission of the offer. 12.2. In the case of a natural person, a copy of the identity document. 12.3. Document certifying the mandate of the representative (e.g. power of attorney, decision of the competent body of the legal person) if the application is signed by the authorised person (legal person only if the representative is not entered on the register card). 12.4 in the case of a legal person, the decision of the competent body under the articles of association to participate in the public sale of public funds under the conditions laid down in the articles of association and to conclude a contract of sale in the winning of an auction, unless the powers to carry out such transactions are delegated, in accordance with the articles of association, to the signatory of the declaration. Where the decision of the competent body is not included, a statement of reasons and a reference to the section of the statutes from which the signatory's competence to participate in the auction and to conclude the sale contract in the event of winning the auction is derived shall be included. 12.5. The bank guarantee letter referred to in point 10 if the guarantee fee referred to in point 9 is not paid. 12.6. The offer must be digitally signed and encrypted with ID software. 13. The offer must be sent by e-mail to the maantee@mnt.ee. Tenders shall be registered in the document management system of the public Road Administration. 14. The closing date for the submission of tenders is 03.11.2020. at 10:00. Tenders must be received by the closing date for submission of tenders. Tenders not received within the time limit shall not be opened and shall be returned to the e-mail address indicated in accordance with point 11 of the tender. 15. Participants in an auction shall be bound by their tender from the opening of their bids until the outcome of the auction is confirmed. The person or persons in whose favour the results of the auction are confirmed shall be bound by their tender until the conclusion of the sale contract. 16. On the day on which the tenders are submitted, 03.11.20.a. at 11.00 a.m., the committee set up by the auctioneer shall open the tenders submitted in the order in which they are registered and the content of the tenders shall be recorded in the minutes of the opening of the auctions. The minutes shall be sent by e-mail to any person who has submitted a tender, within the day on which the tenders are submitted, to the address indicated in the application. 17. Tenders which do not meet the conditions laid down or are incomplete shall be considered irregular and shall not participate in the tendering unless it is obvious that the irregularity is not such as to affect the conduct of the tendering procedure. A record of the auction results shall be drawn up by the committee set up by the auctioneer. 18. The name of the winner and second-best bidder and the outcome of his bid or auction shall be communicated by the organiser by e-mail to all bidders within five working days of the auction to the

address indicated in the request. 19. The auctioneer shall, by order, decide within 20 working days of the date of notification of the auction results, whether or not the outcome of the auction is confirmed, including in the event of a finding of failure. When the outcome of the auction is confirmed, the decision shall indicate the name and amount of the auction winner and the bidder and second-best bidder. If the outcome of the auction is not confirmed, the reason shall be indicated. The decision shall be notified to the auction participants without delay. 20. In the case of the sale of public funds, the decision-maker is entitled to declare the public auction to be unsuccessful and not validate the auction results if: 20.1. no bid or valid offer was submitted; 20.2. the auctioneers did not comply with the auctioneer's instructions or infringed the rules of procedure; 20.3. the auction revealed an agreement or concerted practice between the participants which had or could have had a significant influence on the outcome of the auction. 21. The auctioneer also fails to confirm the outcome of the auction if: 21.1. in conducting the auction, the auctioneer or the auctioneer breached the rules governing the auctioneer's procedure; 21.2. the auctioneer breached the legal regime to the extent that it affected the outcome of the auction; 21.3. the winner of the written auction was not entitled to participate in the auction. 22. Securities paid by the auction winner shall be taken into account as part payment of the purchase price. If the offer was secured by a bank guarantee, the valid bank guarantee shall be returned to the auction winner after payment of the sale price but not before conclusion of the contract for the sale of the movable property. 23. The organiser shall return the guarantee money or a valid bank guarantee letter to the other auction participants, as well as to the auctioneer if the outcome of the auction is not confirmed due to the organiser's breach, within five working days of confirmation or non-confirmation of the auction result. If the organiser fails to repay the deposit on maturity, the participant may charge default interest of 0,1 per cent per day of the outstanding amount of the deposit. 24. The auction participant whose conduct resulted in the auction failing or failing to validate the auction results shall not be reimbursed the deposit and the bank guarantee letter shall be enforced. 25. If the auctioneer has not concluded a sale contract within the time limit, the decision-maker may conclude a sale contract with the second highest bidder within one month. The auction winner, who did not conclude the contract within the time-limit, will not be reimbursed the deposit and the bank guarantee will be enforced. 26. In order to circumvent the conclusion of a sale contract, the auctioneer may revoke the auction results. 27. The auctioneer shall decide, within one month of the date on which the outcome of the auction is not confirmed, whether to hold a new auction, to postpone the auction or to abandon the new auction. 28. The granting of land for exploitation shall be decided by the Ministry of Economic Affairs and Communications of the manager of State property or, on his behalf, by another body which arranges for the use of State property to be made available by means of a lease agreement. The lease will be concluded until the expiry of the authorisation to exploit the mineral resource.

Bids can be submitted until up to 03.11.2020 maanteeamet@mnt.ee by e-mail

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Announcement number 1666451