



AUCTIONEERING SERVICES

ANNEX A **Terms of Reference**

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1 Introduction

1.1 Background, Statement of Purpose & Objectives

UNHCR is represented in 134 countries and operates approximately 5.500 light vehicles in 105 countries worldwide. The main operational areas are West, Central and East Africa, the Middle East, Central and South East Asia, Central and South America.

Following a directive from the High Commissioner the UNHCR Global Fleet Management Project has been established with the following objective: to provide UNHCR field offices and operations with appropriate, cost-effective, safe vehicles and professional fleet management services to support optimum programme delivery.

The UNHCR Global Fleet Management Project includes the professional disposal processes to ensure a good return on the residual value of all assets and reduce the total cost of ownership for UNHCR vehicles.

2 Requirements

2.1 General Requirements

- 2.1.1. The auctioneering services provider (the Auctioneer) shall be legally authorized to perform public auctions in the country and provide original written proof of this. A registration certificate of the company and/or an official auctioneering license must be provided for the country in subject. Failure to provide the abovementioned documentation, may lead to dismissal of the proposal for that specific country.
- 2.1.2. UNHCR also requires open public auctions to be conducted with maximized participation from the public which shall be ensured by the Auctioneer's activity through different means of advertisement appropriate to the market condition in the Country.
- 2.1.3. The Auctioneer shall act as UNHCR's intermediary in all auction transactions and perform all activities involved in preparing and conducting the auction, collecting the participation fee and the payment, as well as providing a full report of all transactions resulting from the auction.

2.2 Pre-Auction Services

- 2.2.1. If requested, the Auctioneer shall arrange the transport of UNHCR assets from their present location to the auction site.
- 2.2.2. In case of vehicles imported from abroad to the Auctioneer's facilities, and if required by UNHCR, the Auctioneer shall handle all customs clearance formalities after taking over UNHCR assets from the carrier defined by UNHCR.
- 2.2.3. The Auctioneer shall perform all activities related to advertisement including designing and developing all necessary advertising and publishing material pertaining to the auction with a moderate, transparent, informative style. The advertisement notices must include the auction venue, auction date/times, terms of participation and lot/items viewing period. The advertisement shall begin at the latest two (2) weeks before the auction and by at least two (2) notices before the day of the auction with at least 2 days advertising period. The Terms of Participation shall be clearly stipulated or referred to in all advertisement material, the Terms of Participation document is provided by UNHCR. The advertisement, when possible, shall be done by using the auctioneer's already established channels: local, regional and/or international newspapers, local TV/radio, Web, e-mail and SMS.
- 2.2.4. The Auctioneer shall provide and manage the auction yard. If required for security reasons and safekeeping of goods, lighting, outside tent or container, should be provided. The Auctioneer shall facilitate the arrangement of public and/or private security forces, prior, during and after the auction.
- 2.2.5. The Auctioneer shall be responsible for arranging small works and repairs that will increase the value of the vehicles and the other items.

- 2.2.6. The Auctioneer shall remove all logos before the start of the viewing periods. The Auctioneer shall clean and wash all vehicles items prior to the auction.
- 2.2.7. If required, the Auctioneer shall provide UNHCR with written professional valuation of all assets to be sold. The final reserved price will be set by UNHCR.
- 2.2.8. If required by local regulations, the Auctioneer shall arrange for a tax authority valuation of duty/taxes and/or physical presence of tax officers prior to the auction and notify UNHCR, in writing of the results for each vehicle.
- 2.2.9. The Auctioneer shall provide at least two (2) staff with adequate customer service expertise to effectively assist the participants to the auction while the viewing period is ongoing.
- 2.2.10. The Auctioneer will be responsible for printing and making copies of all necessary documents during the registration and submission period, such as the terms of participation, bidder lists, release forms, etc.
- 2.2.11. To register at the auction, the bidders are required to sign the Terms of Participation and pay the participation deposit. The Auctioneer is responsible for the registration of the participants and the collection of the deposits from the participants. The registration of the participants shall be properly recorded, and all copies of the signed Terms of Participation shall be kept by the Auctioneer and preserved for minimum 6 years.
- 2.2.12. The amount of the participation deposits shall be agreed upon with UNHCR prior to the beginning of the advertisement period and shall be clearly stipulated in the advertisements and the Terms of Participation.
- 2.2.13. It is the responsibility of the Auctioneer to ensure that, by signing the Terms of participation, the bidder hereby acknowledges not to be a member of any irregular military formation and that the purpose of this purchase is for civilian use only. The clause shall be mentioned in the Terms of Participation to be signed by the bidder.
- 2.2.14. The Auctioneer shall be responsible to monitor the denied persons list of the BIS (USA)¹ and responsible to prevent any registration of denied persons at the auction.

2.3 Auction Day Services

- 2.3.1. On the day of the auction, the Auctioneer shall provide the necessary equipment to facilitate the conduction of the auction such as: outside tent for participants, chairs, water for participants, sound system.
- 2.3.2. In cooperation with UNHCR, the Auctioneer shall manage/contract security staff to ensure the safety of the participants and that crowd control measures are applied accordingly to the event context and number of participants.
- 2.3.3. The Auctioneer shall read out publicly the Terms of Participation prior to the start of the auction.

¹ <https://www.bis.doc.gov/index.php/the-denied-persons-list>

- 2.3.4. The Auctioneer shall ensure that all participants have read/understood and signed the Terms of Participation.
- 2.3.5. The Auctioneer shall ensure that all participants have been registered and have paid the participation deposit established for the auction.
- 2.3.6. The Auctioneer shall provide UNHCR with the complete list of registered bidders.
- 2.3.7. The Auctioneer shall conduct the public/live auction in a professional manner by providing each auction participant with an equal opportunity to place their bids in order to ensure transparency and integrity of the auction process as per the instruction of the auction supervisor from UNHCR.
- 2.3.8. In case it is necessary, the Auctioneer shall provide an interpreter during the auction.
- 2.3.9. The Auctioneer shall publicly announce and record each winning bid (i.e. lot number, winning amount, bidder's name and number) for each asset sold at the auction.
- 2.3.10. The Auctioneer shall ensure the collection of the full sales amount for each asset sold at the auction within two (2) working days (unless defined by law) following the date of the auction. This amount shall also be inclusive of the registration deposit, already collected from the auction participant.
- 2.3.11. Failure to pay 100% of the selling amount within the deadline described under 2.3.10, will result in the participation fee being forfeited and the sale of the asset will be canceled. In this case, the participation fee will be kept by UNHCR.

2.4 Post-Auction Services

- 2.4.1. The commission due to the Auctioneer shall be based on the successfully collected sales proceeds amount excluding forfeited deposits from buyers.
- 2.4.2. At the end of the auction day, the Auctioneer shall sign jointly with UNHCR the "Awarded Bid Report" that includes the details of the preliminary outcome of the auction.
- 2.4.3. The Auctioneer shall confirm, with the official UNHCR representative at the auction: the amount of the highest bid for each lot, the bidder's name and number, the total amount of expenses, the total amount of forfeited deposits and the total net revenue from the auction to be deposited on UNHCR account.
- 2.4.4. The Auctioneer shall ensure prompt refund of the deposits to all unsuccessful bidders, and in any case no later than three (3) working days after the conclusion of the auction for which the deposit was made.
- 2.4.5. The Auctioneers shall provide UNHCR with an updated collection report during the period between the conduction of the auction and the remittance of UNHCR's money.
- 2.4.6. Within nine (9) working days after the auction date, the Auctioneer shall provide UNHCR with the Auction Report containing all aspects of the auction (i.e., amounts received from each buyer, Auctioneer's commission, and original invoices of auction-related costs, as pre-approved by UNHCR). This

Report shall also contain written confirmation of the Auctioneer's payment due to UNHCR or other participating agencies' designated accounts (after offsetting of Auctioneer's commission and pre-approved auction related fees).

- 2.4.7. The Auctioneer shall transfer to UNHCR or based on UNHCR instructions to the other participating agency, the net revenue of the auction within ten (10) working days after the auction date. The Auctioneer should provide UNHCR with a copy of the related bank slip. Any fees or commissions charged by the issuing bank shall be covered by the Auctioneer.
- 2.4.8. The Auctioneer shall verify that all duty and other applicable taxes including VAT have been paid prior to releasing property to the buyer.
- 2.4.9. The Auctioneer is accountable for any legal issue related to the sale of goods and shall intercede with bidders and local authorities in order to eliminate UNHCR participation as much as possible.

3 UNHCR Responsibilities

3.1 UNHCR Responsibilities

UNHCR will provide support and facilitation of the sales process with the following:

- 4.1.1. Access to all assets identified for disposal.
- 4.1.2. Assistance with official requests for approvals from local government.
- 4.1.3. Access to working space and utilities as needed and/or available.
- 4.1.4. Delegation of authority in case the Auctioneer is requested to process official documentation on behalf of UNHCR.
- 4.1.5. UNHCR provides the Auctioneer with instructions for final payment distribution of net revenue to UNHCR and participating agencies (with bank details)

4 Key Performance Indicators

4.1 Performance Indicators

UNHCR expects to monitor the performance of the selected supplier(s) in line with the indicators below:

5.1.1. Percentage of items sold at auction. (=100%)

5.1.2. Percentage of expenses from the collected revenue of the auction. (<3%)